Queensland

Parliamentary Debates
[Hansard]

Legislative Assembly

FRIDAY, 25 NOVEMBER 1960

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Mr. SPEAKER (Hon. D. E. Nicholson, Murrumba) took the chair at 11 a.m.

QUESTIONS

State Conservatorium of Music

Mr. COBURN (Burdekin), for **Mr. AIKENS** (Townsville South), asked the Minister for Education and Migration—

"(1) What is the total annual cost of conducting the State Conservatorium of Music in Brisbane?"

"(2) How many Northern students, i.e., those whose homes are north of and including Mackay, attend the Conservatorium?"

Hon. J. C. A. PIZZEY (Isis) replied—

"(1) The total expenditure on the Queensland Conservatorium of Music during the financial year ended June 30, 1960, was £18,570. An amount of £9,474 9s. 1d., received from student fees, was paid to Consolidated Revenue."

"(2) Two—one full-time student from Cairns and one part-time student from Innisfail. Present indications are that there will be four students next year from Cairns, two from Townsville and one each from Atherton, Herberton, Ingham and Innisfail. It is significant that at the presentation last night of the first Diplomas from the Conservatorium, all four were from the country, two came from the Isis Electorate, from Childers and Yengarie, one from Gympie and one from Warwick. The Government also subsidised £1 for £1 the C.W.A. Hostel, Mallelieu House, at Toowong to the extent of £1,500 to assist country children wishing to study at the Conservatorium."

Domestic Science Classes, Townsville West State School

Mr. COBURN (Burdekin), for **Mr. AIKENS** (Townsville South), asked the Minister for Education and Migration—

"Are certain students from other Townsville schools required to attend the Townsville West School for domestic science lessons and, if so, on how many days per week do they attend and what arrangements are made for their transport?"

Hon. J. C. A. PIZZEY (Isis) replied—

"Each day of the week, pupils from many primary schools in the Townsville area attend Townsville West State School for Domestic Science lessons. This Department does not make any special arrangements for transport to and from this school."

RECRUITMENT OF TRADE APPRENTICES

Mr. COBURN (Burdekin), for **Mr. AIKENS** (Townsville South), asked the Minister for Labour and Industry—

"(1) Is he aware that there is considerable disquiet in all sections of industry particularly by labour and management, over the relatively few trade apprentices who are entering industry?"

"(2) Is he also aware that, for instance, in the Railway Department a fitter whose wages are regarded as the base tradesman's rate receives £3 15s. 5d. per week less than the minimum paid to a sixth class clerk, the lowest clerical classification in the service, that clerical weekly hours of work are shorter and working conditions better and that this is also the pattern in every other industry in the State?"

"(3) If the answers to Questions (1) and (2) are in the affirmative, is any action contemplated to remove these obvious obstacles to the recruitment of more apprentices for industry?"

Hon. J. C. A. PIZZEY (Isis—Minister for Education and Migration), for **Hon. K. J. MORRIS** (Mt. Coot-tha), replied—

"(1, 2 and 3) The Honourable Member's statement that relatively few trade apprentices are entering industry is not based on fact. I am advised by the Chairman of the Group Apprenticeship Executive that 360 more boys were apprenticed in 1959-1960 than in the previous year."

REFUSAL OF LEAVE OF ABSENCE TO DRIVER JENSEN, RAILWAY DEPARTMENT

Mr. MELLOY (Nudgee) asked the Minister for Transport—

"In view of the Government's pre-election pledge that it would not interfere with existing rights and privileges of Government employees and as the Railway Commissioner has refused leave of absence without pay to Driver Jensen of Toowoomba, who is A.F.U.L.E. District Representative in District 6, for the purpose of accompanying the Queensland Divisional Manager on a Branch inspection visit extending over one week and as there has been no previous refusal for such leave for a representative to accompany a State Official on these visits, will he review the position with a view to having leave of absence made available to Driver Jensen, as has been the previous practice of this and previous Governments?"

Hon. G. W. W. CHALK (Lockyer) replied—

"The rights and privileges of employees have not been interfered with. The granting of leave of absence in the circumstances outlined is at the discretion of the administration and it is not proposed to give any direction to reverse the decision already given."

OUTSIDE WORK BY ROCKHAMPTON RAILWAY WORKSHOPS

Mr. THACKERAY (Rockhampton North) asked the Minister for Transport—

"In order to preserve full employment for employees at Rockhampton Railway Workshops will he permit his Department in this division to tender for construction and repair of various jobs outside the Railway Department?"

Hon. G. W. W. CHALK (Lockyer) replied—

"There is full-time employment in the Rockhampton Workshops for all employees on the permanent staff, and it is anticipated that this position will continue. It is not the policy of the Department to undertake contracts for other than railway requirements in competition with private firms."

TRAFFIC ORIGIN-AND-DESTINATION SURVEY BY MARKET ANALYSIS (AUSTRALASIA)

Mr. DAVIES (Maryborough), for **Mr. BENNETT** (South Brisbane), asked the Minister for Public Works and Local Government—

"(1) Has the investigation yet been completed into the origin-and-destination survey conducted by Market Analysis in Brisbane? If so, what was the result? If not, what is the reason for the delay?"

"(2) Has the Survey Supervisor signed any statement to the effect that the analysis is true and correct?"

Hon. J. C. A. PIZZEY (Isis—Minister for Public Works and Local Government), for **Hon. L. H. S. ROBERTS** (Whitsunday), replied—

"(1) I am informed that the Town Clerk has completed his investigation and is now preparing a report for the Council's Establishment and Co-ordination Committee."

"(2) The Honourable Member is a member of the Council and should seek this information from the Council."

OFFICES HELD BY OFFICIAL OF C.S.R. CO. LTD.

Mr. BYRNE (Mourilyan) asked the Minister for Agriculture and Forestry—

"(1) Does he consider that it is in the best interests of the Queensland Sugar Industry that a permanent officer of the C.S.R. Co. Ltd. should hold the following positions at the same time (a) permanent employment by the C.S.R. Co. Ltd., (b)

Co-ordinator of Bulk Sugar Terminals, (c) Chairman of each and every Bulk Sugar Local Organisation already constituted (being five (5) in all) and, on reasonable presumption, of any Bulk Sugar Local Organisation hereafter to be constituted and (d) Mill Owners' Representative on the Central Sugar Cane Prices Board, which in its own jurisdiction has enormous and important responsibilities to the State as a whole and the vast sugar industry in particular?"

"(2) If he considers that it is not, would he indicate if he is prepared to take steps to rectify the situation which has developed?"

Hon. O. O. MADSEN (Warwick) replied—

"(1) I consider it is in the best interests of the Queensland sugar industry to have a man with an expert and comprehensive knowledge in the position of controlling and co-ordinating the bulk sugar terminal's organisation and I am satisfied that the person concerned has these qualifications. The fact that he is or is not an employee of the C.S.R. Co. Ltd. is not relevant to his qualifications in this regard. The purpose of appointing one Chairman for all Local Bulk Terminal Organisations was to assure the application of a uniform policy for the bulk handling arrangements. In regard to his position as Millowners' Representative, I would point out that the mill owners have the right to elect representatives of their own choice to the Central Sugar Cane Prices Board and this has been fully exercised."

"(2) In considering this question it is essential that it be kept in mind that the C.S.R. Company is the marketing agent for the Sugar Board, and apart from the very important question of handling arrangements in connection with shipping, including chartering of vessels, has rendered invaluable assistance on the engineering aspects, for which the Company provides expert personnel. The co-ordination between the various Committees could only be efficiently obtained by having a common member to all Committees, and I feel that this is particularly well achieved by having a common Chairman."

Shaft-sinking on Garrick Seam, Collinsville State Coalfield

Dr. DELAMOTHE (Bowen) asked the Minister for Development, Mines, Main Roads and Electricity—

"(1) What progress has been made in shaft sinking on the Garrick seam on the Collinsville State Coalfield?"

"(2) What is the object of such shaft sinking?"

"(3) Is research in progress on any of the other seams on the Collinsville State Coalfield?"

Hon. E. EVANS (Mirani) replied—

"(1) The depth of the shaft today is 55 feet."

"(2) To obtain a bulk sample for tests as to removal of sulphur content."

"(3) No research is being carried out on any other seam but drilling to prove additional tonnages in the Bowen Seam is being continued."

Shortage of Staff, Townsville Police District

Mr. DAVIES (Maryborough), for **Mr. TUCKER** (Townsville North), asked the Minister for Labour and Industry—

"Is it a fact that the Townsville Police District is understaffed to the extent of fifteen to twenty police? If so, will he take steps to have the position remedied as this growing district makes heavy demands on police personnel?"

Hon. J. C. A. PIZZEY (Isis—Minister for Education and Migration), for **Hon. K. J. MORRIS** (Mt. Coot-tha), replied—

"Since May last four (4) additional men have been transferred to Townsville and one (1) to Richmond. Consideration will be given to further increasing the strength of the Townsville Police District when additional manpower is available for the purpose."

Geological Survey of Mineral Deposits in North Queensland

Mr. DAVIES (Maryborough), for **Mr. TUCKER** (Townsville North), asked the Minister for Development, Mines, Main Roads and Electricity—

"In view of the fact that the latest report of the United Nations Economic Commission for Europe states that by 1975 the world's consumption of steel will have risen by nearly 115 per centum to some 630 million tons a year and forecasts that Western Europe will need to import some fifty million tons of ore, will he advise whether a complete geological survey has been made or, if not, will be made of the extent of minerals and iron ore in the north and west to allow North Queensland to take advantage of this anticipated demand and with a view also to having a steel works established at Townsville?"

Hon. E. EVANS (Mirani) replied—

"A geological survey, by itself, will not show the extent of minerals and iron ore. Such a survey must be followed by prospecting by drilling, shaft sinking, &c., to allow extents to be estimated and by sampling and analyses to establish grades. There is available a complete summary of all available geological information on known iron ore deposits and in addition intensive prospecting campaigns are being conducted

in the search for various minerals in numerous parts of the State, and in respect of iron ore one company is spending very considerable sums in evaluating known iron ore deposits at Constance Range in North-West Queensland and at Iron Range in the Cape York Peninsula."

MINISTERIAL STATEMENT

DEVELOPMENT OF WEIPA BAUXITE DEPOSITS

Hon. E. EVANS (Mirani—Minister for Development, Mines, Main Roads and Electricity) (11.9 a.m.), by leave: On behalf of the Government, I wish to inform the House of an important agreement between Consolidated Zinc Corporation Ltd. and Kaiser Aluminum and Chemical Corporation in regard to the development of the Weipa bauxite deposits.

The following statement was released today by the parties concerned:—

"The Chairman of The Consolidated Zinc Corporation Ltd., Mr. L. B. Robinson, and the President of Kaiser Aluminum and Chemical Corporation, Mr. D. H. Rhoades, have reached agreement on behalf of their respective companies that the two companies will become associated in the development of an integrated aluminium industry in Australia and New Zealand embracing the production of alumina and aluminium, and in addition the establishment of fabricating facilities.

"The Consolidated Zinc Corporation Ltd., which now owns the whole of the share capital of Commonwealth Aluminium Corporation Pty. Ltd., will, subject to the necessary Government consents, transfer the shares in Commonwealth Aluminium Corporation Pty. Ltd. to a new Australian company in which Kaiser Aluminum & Chemical Corporation will take up a 50 per cent. interest. The two-thirds interest of Consolidated Zinc Corporation Ltd. in the new company to be formed in accordance with its recent offer to purchase and expand the Bell Bay smelter in Tasmania and the rights granted to The Consolidated Zinc Corporation Ltd. by the Government of New Zealand in regard to the hydro-electric power potential of the Manapouri-Te Anau Lakes system will similarly form part of the new joint association.

"In subscribing 50 per cent. of the equity capital of the new company Kaiser Aluminum & Chemical Corporation will be bearing one-half of the total expenditure incurred on the aluminium project since the discovery of the Weipa bauxite deposits by The Consolidated Zinc Corporation Ltd. in August, 1955. In addition, Kaiser Aluminum and Chemical Corporation will make to The Consolidated Zinc Corporation Ltd. a cash payment in Australian of the current equivalent of $3,500,000.

"The Consolidated Zinc Corporation Ltd. and Kaiser Aluminum and Chemical Corporation have satisfied themselves on the feasibility of a smelter based on hydro-electric power from the Manapouri-Te Anau Lakes system and have agreed that they will immediately develop and expeditiously carry out a programme to finance and construct an integrated aluminium project consisting of bauxite mining facilities, a 360,000 tons per annum alumina plant with associated facilities at Weipa in Queensland; the Manapouri power project, together with a 120,000-ton aluminium reduction plant at Invercargill, in Southland, New Zealand.

"Pre-construction work will be put in hand immediately with the agreed objective of having the overall project in operation by mid-1966. At Weipa this will require the dredging of a shipping access channel to a port to be constructed adjacent to the new alumina plant, the provision of temporary accommodation and other services during the construction period, and the planning of a new township.

"Work will also proceed in New Zealand at the port of Bluff, near Invercargill, to select the site for the new smelter and to develop further port facilities. The Invercargill smelter will draw power from the first stage of a hydro-electric development to utilise the waters of Lakes Manapouri and Te Anau, which lie about 80 miles to the north-west of Invercargill. The first stage will provide capacity of 280,000 kilowatts, which later could be at least doubled by further development. Pre-construction drilling and pilot plant shaft sinking will begin at once on the Manapouri site. Detailed design work for the power project will be completed by the end of 1961, and construction will follow early in 1962.

"Coinciding with the Queensland and New Zealand developments, expansion of the Bell Bay aluminium smelter to a capacity of at least 28,000 tons per annum will begin early in 1961. The programme agreed by The Consolidated Zinc Corporation Ltd. and Kaiser Aluminum and Chemical Corporation also provides for continued studies of the possibilities of additions to Australia's domestic smelting capacity by further expansion of Bell Bay, and by the utilisation of thermal power from the coal resources of Queensland and certain other areas.

"This new association will be able to take full advantage of the technical knowledge and experience gained by Kaiser Aluminum and Chemical Corporation in all phases of the industry from the mining of bauxite to metal production and fabrication. To this will be coupled the raw material resources contributed by Commonwealth Aluminium Corporation Pty. Ltd. and the benefit of the preliminary work carried out over the past

three years in planning for the development of the aluminium industry in Queensland, Tasmania and the Southland of New Zealand.

"The creation of these integrated aluminium projects will have great significance for the development of Northern Queensland. It will also mean a major new industrial element in the economy of New Zealand. The expansion of the Bell Bay smelter will mean less dependence by Australia on imported aluminium and this, together with the export of alumina from Weipa, will assist that country's balance of payments position. The rapidly growing demand for aluminium within Australia will, at the same time, ensure a sound basis for progressive expansion of domestic smelting capacity."

In addition, The Consolidated Zinc Corporation Limited have announced details of financial arrangements associated with their link with Kaiser Aluminum and Chemical Corporation. These will be given due prominence by The Consolidated Zinc Corporation Ltd.

The following is the text of a statement by Mr. D. H. Rhoades, President of Kaiser Aluminum and Chemical Corporation, commenting on the announcement of the new partnership in aluminium—

"Our partnership with Consolidated Zinc, a company with long experience in the metals industry, will create a major new source of aluminium which will foster expansion of markets throughout the world.

"Consolidated Zinc's management has progressive views towards aluminium expansion similar to our own and we both intend to establish a dynamic organisation capable of rapid growth.

"The location of the resources, which will be developed in this venture, provide many economic advantages and production operations will be ideally situated to serve world markets, particularly those rapidly developing in the Pacific area. We believe consumption will more than double in this area by 1970.

"The installation of new industrial facilities and the development of bauxite and hydro resources will make a substantial contribution to the economic growth of Australia and New Zealand.

"In addition to the benefits created by this expansion, the availability of aluminium in the area will stimulate the development of many new fabricating operations in both countries.

"Our new partnership with Consolidated Zinc is an example of our effort to supply technical knowledge and operating skill, as well as financial assistance, which will develop new sources of aluminium in markets around the globe. In addition to this venture, we are currently engaged in projects to expand aluminium production in Argentina, the United Kingdom, Spain, Africa and India."

The State Government has given its full approval to the new arrangements and, as a result of its negotittions with the company, work on the construction of the port at Weipa, which is a first and major requirement of the whole scheme, will commence at the conclusion of the coming monsoon season.

A tremendous amount of investigational work has already been carried out by the company at Weipa, which will enable it to put immediately in hand the necessary construction work on the overall project.

The Government is very happy at the successful conclusion of long and difficult negotiations and has appreciated the close co-operation that it has received at all times from Comalco.

JUSTICES ACTS AMENDMENT BILL

INITIATION

Hon. A. W. MUNRO (Toowong—Minister for Justice): I move—

"That the House will, at its next sitting, resolve itself into a Committee of the Whole to consider of the desirableness of introducing a Bill to amend the Justices Acts, 1886 to 1958, in certain particulars."

Motion agreed to.

COMPANIES BILL

INITIATION

Hon. A. W. MUNRO (Toowong—Minister for Justice): I move—

"That the House will, at its next sitting, resolve itself into a Committee of the Whole to consider of the desirableness of introducing a Bill to consolidate and amend the law relating to companies."

Motion agreed to.

WORKERS' COMPENSATION ACTS AMENDMENT BILL

INITIATION

Hon. T. A. HILEY (Chatsworth—Treasurer and Minister for Housing): I move—

"That the House will, at its next sitting, resolve itself into a Committee of the Whole to consider of the desirableness of introducing a Bill to amend the Workers' Compensation Acts, 1916 to 1960, in certain particulars."

Motion agreed to.

PUBLIC SERVICE SUPERANNUATION ACT AMENDMENT BILL

INITIATION IN COMMITTEE—RESUMPTION OF DEBATE

(The Chairman of Committees, Mr. Taylor, Clayfield, in the chair)

Debate resumed from 24 November (see p. 1756) on Mr. Nicklin's motion—

"That it is desirable that a Bill be introduced to amend the Public Service Superannuation Act of 1958, in certain particulars."

Mr. DUGGAN (Toowoomba West—Leader of the Opposition) (11.23 a.m.): I shall round off my speech of yesterday by dealing with the provision of the Bill relating to the superannuation scheme for professors of the University. I pointed out that owing to the dearth of professors in all universities in English-speaking countries, all sorts of inducements are held out to them to join the staff of various universities. Because of the dearth of professors it was necessary recently for Professor Schonell to go overseas to recruit personnel not only for the University at St. Lucia but also for the proposed University College at Townsville.

I pointed out yesterday that, in order to attract staff, universities are offering not only additional salaries but also other inducements such as superannuation schemes and study-leave conditions. Study-leave conditions appeal to some people who, while overseas on such leave, can re-establish contacts, say, in Great Britain and on the Continent.

There is some merit in study leave, but I pointed out that—to the extent that it is encouraged—the difficulties of the University in recruiting staff to fill the places of those on leave while they are away are increased. It occurred to me that, having regard to the retention of staff, it might be better to have the staff of the University brought into the Public Service superannuation scheme rather than the University superannuation scheme. In the latter case there would be no brake on staff to hold them here. After all, they are given good salaries and conditions and there is some general moral obligation on them to remain here. Admittedly it cannot be said that a man should remain in the one job all his life and that he has no right to go wherever he pleases, but there would be a greater tendency for the staff to gravitate to different universities if they knew their superannuation rights were protected irrespective of the university in which they taught.

Mr. Pizzey: There is some advantage. You would be avoiding inbreeding in the University.

Mr. DUGGAN: That is so, but I make that general observation and I think it should be considered. Interference with university life is very undesirable. I do not countenance it. Universities should be free to express themselves without having financial or governmental discliplinary measures applied against them. I wish to make that reservation, because sometimes we are charged with wanting to restrict unduly the thoughts and expressions of University teachers. I offer this suggestion merely to see whether some equitable scheme may be devised that will not interfere unduly with appointments to the University. If we make the provisions too flexible we will probably accentuate the staffing difficulties.

There are one or two other aspects that some hon. members on this side of the Chamber may wish to refer to. Firstly, we should like to know whether the Premier might indicate the intention of the scheme other than what he has already covered, and also give some indication of the provisions for those under 40 years of age. Those are some of the things we should like to know more about.

Mr. SHERRINGTON (Salisbury) (11.26 a.m.): I rise to speak on this occasion, because during the Estimates dealing with the Premier's Department I referred to certain aspects of this superannuation fund which, from discussions I have had with employees of the various Government departments, seem to me to impose hardships in certain circumstances. For a person under 40 years of age on a salary of £1,250 a year, the superannuation commitments work out at £8 6s. 4d. a month. In these days of housing difficulties, persons in this age group, more particularly, are in the process of getting a home together, and all hon. members must agree that that is very costly. The payment of £8 6s. 4d. a month imposes a heavy financial strain on these people, especially when they are forced to borrow money and make heavy repayments. the combination of both payments imposes an extremely heavy burden on them.

I stated previously that many of the public servants I have spoken to consider that the condition that forces them to take out 20 units of superannuation, because they are under 40, is aggravating their financial problems. It is the general feeling that while superannuation is worthy, and is necessary to enable them to make provision for their declining years, they are suffering an injustice under the present arrangement. I have come to the conclusion that they favour a very low compulsory number of units, with a voluntary assessment of their requirements.

I commend this matter to the Premier in the hope that he will tackle the problem, because it is definitely an injustice on the under-40 age group.

Because of the buoyancy of this fund, which has a balance of £7,000,000, some consideration should be given to the provision of finance for employees in purchasing homes. It would be a good idea if they could borrow from the fund without having to make very high superannuation contributions in addition to very high repayments on a home. Consideration should be given to the institution

of a scheme, founded on this fund, to finance homes for public servants. The Premier could well investigate the possibility because it would not only provide an answer to the acute housing problem but also mean a general easing of the demands made on the pay of public servants.

I commend the provision dealing with the reduction of qualifying period for incapacity benefits. I spoke earlier on the reduction of the incapacity period from 10 years to five. At that time, too, I spoke of the anomaly that arose under the provisions of the Public Service Award whereby an employee who is incapacitated is paid only a certain number of weeks at his full rate and then reverts to a period of half pay. As public servants are debarred from collecting incapacity benefit until they have exhausted all sick leave, perhaps an amendment to the legislation could be framed to provide that, when a public servant is on sick leave at half his normal rate of pay, he is subsidised from the incapacity fund to bring him to his full salary. In view of the buoyancy of the fund, there could be a relaxation of the conditions for the contributors to the fund. Apart from that, the provisions of the Bill are desirable. I ask the Premier to consider the matters I have raised.

Mr. RAMSDEN (Merthyr) (11.33 a.m.): I address my remarks to the Premier mainly to seek information rather than to give it. It has been brought to my notice that certain public servants who entered the State Public Service as far back as 1912 in the taxation branch made their minimum contributions according to the requirements of the Act until such time as they were taken over by the Commonwealth Government in 1946 under the uniform taxation scheme. The people I am concerned with were at that time classified officers and they continued from 1912 to pay their required contributions over an unbroken period to the time of retirement. When they were transferred from the State to the Commonwealth, one of them lost about £180 a year in salary while a friend of hers who was retained in the State Public Service continued on her former basis. That created an anomaly. I do not know whether the Bill intends to overcome such anomalies but I point them out and I should like the Premier to indicate whether something can be done. For instance, two people started in the service at about the same time and each served about 44 years with the State. One was taken over in 1946 by the Commonwealth but continued to contribute to the State Public Service Superannuation Scheme and is receiving £250 per annum in superannuation while another, who stayed with the State, is receiving £350 a year in superannuation, a difference of £100 per annum. I bring that matter to the Premier's attention. I do not know whether it is covered in the Act, but I hope the amending legislation will do something to remove what, to me, is an obvious anomaly.

Mr. HOUSTON (Bulimba) (11.36 a.m.): Like other hon. members, I believe that the Public Service superannuation scheme is wisely conceived and is proving of great benefit to those who are now receiving a retiring allowance and those who, because of sickness, have to draw on it. As the Premier said, the scheme was introduced originally not only to try to give justice to public servants, but also to encourage them to stay in the service of the State, because private enterprise was establishing provident funds and superannuation schemes and we would have had difficulty in retaining our top public servants, and even those further down the list, unless extra incentives were given to them. I think he has stated the position fairly. The scheme was also designed to make sure that, upon retirement, public servants could live in a way that was similar to their way of life during their working career. I have no fight at all with those principles, and I believe that the reasons for the introduction of the scheme were sound.

I believe that the amendments giving coverage to those who were unfit when they joined the Public Service are also worth while. From my own experience and service, I know that quite a number of people who, because of diabetes and other complaints, were not eligible to join the Public Service superannuation scheme were able to continue working till retiring age with the aid of modern drugs. I agree that this anomaly should be removed.

For the life of me, I cannot see why this scheme was never extended to cover those Government employees who are not, strictly speaking, covered by the Public Service Act—for example, those in the railways and those in the Governmnt Printing Office.

Mr. Nicklin: You know what happened to the railway scheme.

Mr. HOUSTON: I am not concerned with what happened in the past. We are talking about amendments, and the Premier said that these amendments to extend the provisions of the scheme were worth while. Let us extend them further. If weaknesses were found in the past, surely we have learnt something from them and we can ensure that they do not occur again. Public servants are people who work in the interests of the public. There are many people in the railway service, the Government Printing Office, the Department of Main Roads, the Department of Public Works, and other departments, who are entitled to some protection under the superannuation scheme. Any well-run private enterprise of any size sets up its own provident fund or superannuation scheme to give its employees a certain amount of security on retirement, and this also helps it to retain the employees. This scheme should be extended to cover all Government employees. This may call for

the introduction of a new Act or for certain amendments to the present Act to cover employees who change from one department to another, but these are purely administrative matters that can be overcome satisfactorily.

From an administrative point of view, a number of people enter the Public Service, join the Public Service superannuation scheme, and later leave the service. Women leave to get married, for example. There is no guarantee that any person will stay in the Public Service throughout his working life, and there is just as much chance that a person joining the police, the printing office, or the railways will stay there all his working life. In fact, there are many instances in which that has happened. I personally know men in the Government Printing Office who have been working there since they were boys. The Government have talked about giving justice to public servants. Let us carry that justice to every person in the community. I think it is wrong to have almost every section of the community covered by either the Government's superannuation scheme or a private employer's superannuation scheme except a few public servants classified as wage-earners who have to suffer the hardship of relying on the age pension. If the Government are sincere in their desire to help they should do something about this anomaly. It is just as essential to help the good tradesman, the good tradesman's assistant, and the good labourer as the top public servants. After all, where are our foremen and supervisors coming from? Those who have worked in industry know that very often it is the man on the middle line who does the practical thinking and hard work. Many ideas and suggestions come from the skilled workers. If we are to encourage them to stay in the service to become foremen and supervisors, if we are to keep the best public servants, we must help them while they are working their way up.

I support the Bill in principle and ask the Premier to consider my suggestion.

Hon. G. F. R. NICKLIN (Landsborough—Premier) (11.42 a.m.), in reply: As I expected, the Bill has received the general commendation of all hon. members. It is legislation designed to improve what is already a very good superannuation scheme.

The Leader of the Opposition referred particularly to the University professors. This matter is still the subject of inquiry, and investigations are in progress at the present time to determine what shall be the position for those who may choose to join the Public Service Superannuation Scheme and those who may choose to join the general University scheme. At the second reading stage I shall have more information to make available.

The Leader of the Opposition mentioned the subject of recruitment to the State Public Service and emphasised the fact that the superannuation scheme would have some effect on it. It has, and I have had figures taken out for the years prior to the introduction of the present scheme and the last financial year for which we have full figures. They reveal that there has been a marked lift in the recruitment at all levels to the State Public Service. In 1956-1957 at the Junior level there were 497 entrants to the Public Service, in 1959-1960 there were 731. At the matriculation standard in 1956-1957 there were 103 entrants, in 1959-1960 there were 189. In 1956-1957 64 fellowships and scholarships were made available to public servants; in 1959-1960 the figure was 107. It is encouraging to see that recruitment to the Public Service is increasing. We are making a drive this year in an endeavour to secure for the Public Service those who win the high passes in the Junior and Senior public examinations. Hon. members will agree that it is essential to maintain the highest possible standard in view of the great responsibility that public servants carry in the service they render to the State.

The hon. member for Salisbury referred to the cost of superannuation payments to contributors. He quoted a case where entrance was at 37 years of age. I am sure that very few people come into the Public Service at that age. In respect of those who are in the Public Service, by the time they attain that age they have been contributors for many years and consequently the percentage contribution is not as great as the hon. member mentioned.

For example, I have taken out the case of a public servant of the age he mentioned but who joined the Public Service at the normal age and was 18 on entering the superannuation scheme. That person would have to take one compulsory unit of annuity and one of incapacity, which would cost him 5s. 7d. a month. At the age of 21 there would be increased units and the contribution would rise by 6s. 7d. per month. Increased units would result from the 1954 amendment of the Act.

Thus at the age of 32 additional annuity units would be taken out. That would add another 10s. 9d. contribution monthly so that at the age of 32 the monthly contribution would be £1 2s. 11d. Under the new scheme the number of units became nine of annuity and six of incapacity and the monthly contribution would be the same, that is, £1 2s. 11d. Under the April, 1959, amendment to the Act the annuity grew by an additional 11 units and the incapacity by an additional 14 together with 20 units of widow's pension. That makes a grand total of 20 units of each, which would cost £6 18s. 6d. a month, or 6.55 per cent. of the officer's total salary.

Mr. Sherrington: That is for an employee who entered the Public Service at 18?

Mr. NICKLIN: Yes. The case the hon. member quoted would be one of the very few where a man enters the Public Service at the age of 37 and thus does not start to contribute to superannuation until he reaches that age.

In February of this year a person of the age of 37 and on the same classification as I mentioned would have had a salary increase from £1,246 to £1,295, and consequently his contributions would have increased by an additional unit of annuity, incapacity, and widow's pension, making 21 units in all. This would mean that he would be paying £7 6s. 9d. a month, or 6.8 per cent. of his salary.

In 1960, with his age up one year he would be required to take an additional unit, thus increasing his units in all to 22 each benefit. But by that time his salary has risen to £1,530 and his contribution would be £7 15s. 7d., or 6.1 per cent. of his salary.

The point I am making is what he gets for that 6.1 per cent. of his salary. His contributions would be £93 7s. per annum, for which he gets the following benefits:—

Annuity of £924 per annum when he retires;

Incapacity payment of £369 12s. per annum when absent on sick leave without pay and £924 per annum if retired on account of ill-health, provided that the contributions to incapacity have been made for 10 years or more—that is reduced by this current amendment—and

His widow would be entitled to £462 per annum plus £26 per annum for each dependent child up to 16 years of age.

Where could one get such good cover for a similar contribution under any insurance scheme that is available at the present time? I think the hon. member must agree that the contributions being paid at the present time are indeed reasonable.

Mr. Sherrington: I was speaking about the position of a person who has bought a home and is possibly making heavy repayments which, when added to his superannuation contribution, would present a problem.

Mr. NICKLIN: I suggest that a person on a comparatively good salary in outside industry would be in the same position as a public servant. If he was a wise man he would cover himself with an insurance policy of some kind, and, to get the same benefits as are provided under the Public Service superannuation scheme I suggest he would be paying very much more than a contributor to the Public Service Superannuation Fund. I do not think the hon. member's point could be raised seriously against the State scheme, bearing in mind the great difference between contributions to the scheme and the premiums under an insurance policy.

Mr. Sherrington: I think an improvement could be made to assist those people.

Mr. NICKLIN: The hon. member should know that superannuation schemes are based on an actuarial examination of the fund, and the benefits that can be given are limited to those that are actuarially possible without damaging the financial structure of the fund. Anomalies may become apparent from time to time. For instance, contributors who come into the scheme late in life have to pay a greater amount than those who join the scheme early in life, but on the whole the scheme is very advantageous to the Public Service.

The hon. member suggested that the balances in the fund could be used to provide homes for public servants. Indirectly the fund is used for that purpose. The money is used by the Government, and they pay interest on it, and, as the hon. member knows, the Government provides money for the building of houses. I doubt whether it would be desirable to utilise the money in other than the way it is used by the Government at present. The moneys of the fund, in the same way as the moneys in all other trust funds, cannot be used for other than certain approved trust securities.

The hon. member for Merthyr raised a further point, but I point out that that matter was entirely in the hands of individual persons. When they were taken over by the Commonwealth authorities in 1946 they were given the right to contribute to the State Public Service scheme or to the Commonwealth scheme. Some of them are contributing to both, but the trustees of the State scheme did not think—and I am sure the hon. member will agree—that it would be fair to contributors to the State scheme that such persons should get all the benefits that accrue to State public servants, although in 1948 they were given similar benefits. The Government contributes 12s. in the £1 to the benefits payable under the scheme.

The hon. member for Bulimba raised a very interesting point. He said that the scheme should be extended to all Crown employees. There was an extension of a superannuation scheme to Railway employees on one occasion, but it was not a very happy experience. The Government are not prepared to run the risk of another similar unhappy experience. However, if any sections of Crown employees are interested in a scheme similar to those operating in private industry, the Government will give every consideration to any representations that may be made on their behalf.

Motion (Mr. Nicklin) agreed to.

Resolution reported.

FIRST READING

Bill presented and, on motion of Mr. Nicklin, read a first time.

STATUTORY SALARIES AND ALLOWANCES BILL

INITIATION IN COMMITTEE

(The Chairman of Committees, Mr. Taylor, Clayfield, in the chair.)

Hon. G. F. R. NICKLIN (Landsborough—Premier) (11.57 a.m.): I move—

"That it is desirable that a Bill be introduced relating to certain statutory salaries and allowances."

As hon. members are aware, the salaries of certain Crown officers can be increased only by Act of Parliament and the purpose of this Bill is to amend those salaries. The officers concerned are the President and other members of the Land Court, the Auditor-General, the Commissioner for Railways and the Public Service Commissioner. The object of the Bill is to increase the salaries of those officers to conform with the increases in senior Public Service salaries awarded by the Industrial Court as from 4 July last.

The salary increases proposed are—

Officers	Present Salary	Proposed Salary	Increase
President of the Land Court	£4,250	£5,000	£750
Members of the Land Court	£3,750	£4,500	£750
Commissioner for Railways	£4,695	£5,400	£705
Public Service Commissioner	£3,995	£4,700	£705
Auditor-General ..	£3,970	£4,700	£730

The salaries proposed for members of the Land Court are the same as those proposed for the judges of the District Courts. The increase of £705 for the Commissioner for Railways and for the Public Service Commissioner is approximately the same as was awarded by the State Industrial Court for the top clasification covered by the Public Service Award—State—which was £700.

The salaries of the Commissioner for Railways, the Public Service Commissioner and the Auditor-General were not increased as from 1 September, 1958, from which date under secretaries received an increase of £240 a year. They did not receive the general Public Service increase granted as from 1 September, 1958, and they are now receiving only the same increase, approximately, as was determined and awarded by the court for the top position under the Public Service Award—State—as from 4 July, 1960.

I want to emphasise at this stage that all the recent salary increases in the Public Service were fixed as a result of a court hearing. I have heard it said that they were fixed by arrangement, but they were not. They were fixed by the court.

Mr. Hanlon: Were they opposed by you?

Mr. NICKLIN: I will tell the hon. member more about it in a moment.

After the decision was given on the margins case, the Queensland State Service Union and the Queensland Professional Officers' Association desired to determine marginal increases in salary by negotiation. The court requested the parties concerned to confer. The Government, in keeping with the policy that they have followed on the determination of salaries and conditions, decided that there should not be any negotiations but that the matter should be determined by the State Industrial Court.

To facilitate the hearing of the matter, the parties decided by agreement to submit four key salaries to the court for determination, with the intimation that the parties would subsequently confer and endeavour to determine other salaries covered by the award within the framework of the court's decision. The key salaries submitted for determination by the court and the increases granted by the court were—

—	Previous Salary	New Salary Awarded by the Court	Increase
	£	£	£
Maximum, Clerk, Grade III. ..	1,065	1,137	72
Maximum, Clerk, Grade I.	1,275	1,450	175
Under Secretaries ..	3,460	4,060	600
Deputy Director-General of Health and Medical Services (the highest classification covered by the Award)	3,860	4,560	700

The court, in its judgment, very clearly set out its reasons for granting those increases, which were, in the main, governed by—(1) salaries paid in banks and insurance offices, which were at the time substantially higher than the Public Service clerical rates, and (2) salaries paid to permanent heads of departments in other States, which in practically all cases exceeded Queensland salaries. Thus, it was the court that determined the increase of £72 per annum for the clerk in Grade III, it was the court that determined that the Under Secretary should receive an increase of £600 per annum, and it was the court that determined the top increase in the award of £700 per annum.

With these court determinations, and at the request of the court, it was then possible for the parties to reach agreement on the salary increases that should be awarded to other positions covered by the award, and the increases agreed upon by the parties were later ratified by the court in an award.

This is not a new method of fixing salaries, because in an application under the Public Service Award—State in 1951 the court adopted the same practice, and it also followed a similar procedure in 1947, 1948 and 1949. As recently as 1953, the Industrial Court asked parties to the Public Service Award—State to confer and determine certain salary scales having regard to the relativity

of positions, the classifications of which the court had determined. The court has also used this method in other awards determined by the court. The policy followed in respect of Public Service salaries is also followed in connection with the railway salaried group—administrative, professional, clerical, and other salaried employees. The court determined key classifications and salaries and the remainder of the salaries were agreed to by negotiation.

Mr. Walsh: You say all these things were due entirely to the Industrial Court?

Mr. NICKLIN: Absolutely.

Mr. Walsh: If that is the case, all the conditions that prevailed under the Labour Government, which you say were a low-wage Government, must have been due to the Industrial Court, too.

Mr. NICKLIN: The Industrial Court had something to do with it, but there was a different approach by the Government in those days.

The salaries of the officers mentioned in this amending Bill have been related to the salary awarded by the court in respect of the highest classified position. There has always been a slight margin in favour of these statutory officers because of the importance of their offices, and the margin has been maintained.

Mr. Hanlon: Apart from the salary of Mr. Justice Brown, who is a judge of the Supreme Court, on what basis are the salaries of the other members of the Industrial Court fixed?

Mr. NICKLIN: They are fixed by legislation, also, but not by this legislation.

That is all I desire to say at this stage, but I wish to emphasise that these salaries have been adjusted in accordance with the determination of the court in respect of other Public Service salaries.

Mr. DUGGAN (Toowoomba West—Leader of the Opposition) (12.9 p.m.): I must compliment the Premier on his adroitness. He has that happy knack of getting the maximum political advantage for his own party and at the same time conveying the impression that many of these matters relating to wage increases are merely the instruments of the court. In introducing the Bill to amend the Public Service Superannuation Act, the Premier said yesterday that since this Government came to power there had been liberal salary increases that had enabled public servants to take advantage of the opportunity to increase their contributions to the Public Service Superannuation Scheme.

Mr. Nicklin: Only a statement of fact.

Mr. DUGGAN: Yes, but the inference to be drawn is one of two things: either these things are done by the court independently of Government action, in which case the Government cannot claim any credit, or, if they are done independently of the court but with the co-operation of the Government and, as a result, a decision favourable to the unions is reached, we must come to the conclusion that the Government have intervened more directly than the Premier has been prepared to indicate today.

The Premier uses different words on different occasions. When he addresses the Public Service conference and when he has an opportunity of addressing breaking-up gatherings, he says there is a different atmosphere now and that the Government are most anxious to improve the conditions in the Public Service. I make it quite clear that we have no quarrel with that idea. We do not want to level people down; we want to level them up.

Let me now examine the Bill before the Committee. The Premier stated that it arose from the decision to increase the salaries of approximately 9.000 public servants who were granted increases ranging from £10 to £700 a year. As the Premier pointed out, it was done by selecting four key classifications following the court's decision to negotiate. Our attitude is that if it is competent for two interested parties to go into court and say, "We have an application before you for very substantial wage increases and we want to prosecute our claim to the best advantage of our members," and the court says, "Go into a huddle and take out four key classifications," and they go into a huddle and come to some general agreement which is subsequently ratified by the court, why not apply that procedure to wage personnel outside the Public Service? We do not mind that procedure. Why does the court not say, "Get all the unions together and we will take the fitter as the base tradesman's rate. We will determine his rate, we will determine the rate for the semi-skilled man and the rate for the unskilled man. We will make those the three key classifications. Whatever agreement we can reach on this general basis we will use to automatically adjust the awards." If that were done quickly, promptly and efficiently there would not be this criticism from the trade union movement.

We intend to oppose the Bill, not because we do not think the adjustments should be made in the salaries of the officers affected, and not because we are unappreciative of their services or because we are unaware of their highly-skilled qualifications, but merely to focus public attention on what we believe to be a wage injustice that so many wage and salary earners are experiencing throughout Queensland as a result of the failure of the Industrial Court to give them even tolerably comparable determinations to those given to members of the Public Service. That is our attitude. We are sorry in a way that salaries of the members of the Land Court, the Commissioner for Railways, the Public

Service Commissioner and the Auditor-General have to be used as a basis for our argument. Because of their general qualifications they are men for whom we have a very high regard, and perhaps with some reservation about the members of the Land Court, but only because we think they were political appointments rather than because of the intrinsic worth of the gentlemen themselves. The Public Service Commissioner, the Auditor-General and the Commissioner for Railways are probably a little unfortunate in as much as we are opposing these increases. As I say, we are not opposing the Bill because we do not think these officers are entitled to the movement upwards following the determination covering the Public Service, including the granting of £600 to Under-secretaries and £700 to higher classifications, but because we want to seize the opportunity—the only effective opportunity we have—to direct public attention to what we consider to be a grave injustice, and the industrial disquiet outside because such preferential and favoured consideration is not being extended to people in industry generally. How can you expect to have industrial peace in the community when an application for something in the order of 30s., a week is summarily dismissed? All the legislatures throughout the land, State and Commonwealth are granting fantastic salary increases —£2,000 a year to a High Court judge in one increase, and an increase in pension from £4,000 to £5,000 a year.

Mr. Nicklin: This Parliament has no control over that.

Mr. DUGGAN: This is right throughout the country.

Mr. Nicklin: Not here.

Mr. DUGGAN: I said that it happened in every legislative jurisdiction. That includes the Commonwealth jurisdiction.

A Government Member interjected.

Mr. DUGGAN: It is being admitted that the Commonwealth may have started it.

The Government are deploring the shortage of skilled tradesmen. The Minister for Labour and Industry and the Minister for Public Works and Local Government gleefully boast, "Give us tradesmen and we will find jobs for them. We cannot get enough skilled plumbers, skilled bricklayers, skilled carpenters and other tradesmen." Why can they not? Like people who join the State Public Service they must have a Junior pass. The very basis of entrance to the electrician's trade is the holding of a Junior certificate. Many motor garage employers insist on Junior certificates for their employees. In addition to having a Junior such as a person requires to enter the public service, the tradesman is obliged to attend night classes for five years, but with his very often far greater qualifications he receives a lower wage than many public servants who get automatic increases and other benefits. How are we going to get enough skilled tradesmen in the community if there is this discrimination between the white-collar worker and the ordinary worker in outside industry? I am not against the white-collar worker. All I am saying is that we must offer tradesmen in outside industry equality with the white-collar worker.

I know tradesmen in Toowoomba who passed the Senior University examination. There is not a great number of them, but some of them have, and they wanted to apply their hands to a trade. They are paid a relatively miserable wage and they are seething with discontent. I do not blame them because, as I said, they sacrifice their nights for a number of years in study after having passed their Junior or Senior examination. They, like others, like a bit of social life. I am not criticising the public servant, but the moment he joins the Public Service he can go to as many barbecues and picnics as he likes—every night of the week, if he wants to—while the apprentice has to study almost every night for five years. And then he is paid a good deal less than the public servant. I do not care whether they are shop assistants or what kind of workers they are in outside industry; they are getting a poor deal. It is no wonder there is discontent today when they hear of people in the Public Service offered, in one lump, increases of £750 a year.

The Public Service Commissioner's report shows that the basis of the increases granted was like-with-like in comparison with similar salary scales in other services. If that basis is not comparable they select for comparison other awards such as the Insurance Award and the Bank Clerks Award. Police officers go to some other State where they can compare like-with-like to justify their claims, which are acceptable to the court, but the court will not compare like-with-like in claims submited by workers in outside industry. I have had figures given to me by the unions to prove that assertion.

Mr. Nicklin: Who won't apply it?

Mr. DUGGAN: The court won't.

Mr. Nicklin: That is entirely a matter for the court.

Mr. DUGGAN: The Premier cannot have it both ways. He cannot, on the one hand, claim governmental credit for the Public Service increases if it is a matter entirely for the court. On the other hand, if it is not entirely a matter for the court, the Government should apply to those in outside industry the policy that has been applied in the Public Service. I have heard Ministers say that the Government were responsbile for granting the increases to Crown employees, and I have been informed by employees themselves that comments relative to the happy Public Service have been made by Ministers at staff functions. The Government claim full credit for the increases. One hears it from the public servants themselves.

I do not know of any adjustment that was resolved with less difficulty than was the last Public Service adjustment. When we were the Government and questions of margins arose, we had long and protracted negotiations before the matter was finally resolved. On this occasion there was no such prolongation or protraction.

I am not attacking the Public Service at all——

Mr. Nicklin: I do not know whom you are attacking.

Mr. DUGGAN: I am attacking the Government and the court for their failures in their respective jurisdictions. There is an increasing tendency in some jurisdictions—as in the case of the Land Court—to give decisions against which we feel a great deal of criticism can be levelled.

Similar criticism can be levelled against some of the decisions by these people on the principles of like-with-like. In the first instance we find discrimination between the Federal and State basic wages. In the case of people in industry in Brisbane, the differentiation is 18s. a week. The same difference applies in the Toowoomba foundry, in the district where I reside. But these people who receive 18s. a week less than employees under the State award pay the same transport costs and the same prices for meat, food, groceries and clothing. In addition to this difference of 18s. a week, the wages of employees under Federal awards have been pegged for the last 18 months. Coincidental with such a state of affairs, can anyone tell me that the "tall poppies" in the Public Service should be granted by this Parliament a legislative increase of £750 a year?

Mr. Nicklin: What jurisdiction have we over the difference between the Commonwealth and State basic wages?

Mr. DUGGAN: The Government did not hesitate to send a representative to the last Federal basic-wage hearing to intervene and oppose the claim for an increase. If the Government had any regard for justice for these people they should have at least refrained from opposing an increase in the basic-wage. If the Government want to appear in these cases, they can show their sincerity and honesty, and their desire to help these people by telling their advocates to say to the court, "We think there should be comparable and uniform rates for these people."

Mr. Pizzey: What did you do about it when you were Minister? You did nothing about it.

Mr. DUGGAN: My word I did. We did all we possibly could. As a matter of fact, there was a very strong disinclination for people to work under Federal awards when we were the Government, but now we find that employers such as Borthwicks, the C.Q.M.E., and the northern meatworks are all trying to get out of the State jurisdiction and have their employees subject to Federal court jurisdiction.

Take the case of Commonwealth Engineering Ltd., which is closer to home. It is building carriages in Granville, Sydney, for the Queensland railways. The work of tradesmen employed in Sydney is identical with that of the Queensland employees of the company; but the Sydney tradesman is being paid £2 13s. a week more than a Queensland tradesman of equivalent skill, doing equivalent work. These employees know that the like-with-like principle has been applied to the Public Service and members of the Police Force, and they say that the like-with-like principle should be applied also to them. The employees in the two States are doing the same work, the same type of fitting, the same type of electrical work, the same kind of panel-beating and painting, and are working for the same employer who is in turn working for the same purchaser, yet the Queensland tradesman are receiving £2 13s. a week less than their counterparts in Sydney.

In New South Wales the Electricity Commission margin is £7 18s. a week, whereas the ordinary margin is £5 2s. 6d. Employees say that the like-with-like principle should be applied in that instance. Over-award payments are being made in New South Wales. A perusal of the employers' journals reveals that over-award payments are being made in every section of industry in New South Wales, and with the scarcity of tradesmen, margins are being increased. Employees in Queensland say, "We want the court to apply the like-with-like principle." But they cannot get the principle applied to them, and they cannot get any satisfaction from the Minister. Every time an approach is made to him he says, "We will not even discuss it. Go to the court." They are sick and tired of going to the court, because the court has rejected the formula despite the fact that these employees know that it is being applied to "tall poppies" in the Public Service.

The Labour Party feels there is strong reason for focusing public attention on this matter. Any number of people who are not Labour supporters, and who could not even be said to be Labour sympathisers, have expressed strong views on it. Only last night at a function in Toowoomba a business man came to me and said, "I can appreciate the disquiet of these people at the fact that they cannot get £1 or 25s. a week rise, when they read in the newspapers about the astronomical increases that are given to other people. I don't blame them."

I am certain that even Government members feel uneasy about the matter, but they are still prepared to say today that certain people should get an increase of £15 a week, at the same time turning the cold shoulder to other people in the community. In view of the discriminatory wage treatment of tradesmen, despite the education, training and skill required of them and the fact that there is

a shortage of skilled tradesmen, is it any wonder that people are getting fed up with entering these trades?

I have no desire to embarrass Mr. Moriarty, the Commissioner for Railways, for whom I have a high regard, or the Auditor-General, or the Public Service Commissioner, one of the finest public servants in Queensland and one to whom I have frequently paid a tribute. The Opposition's case is not directed against them personally; but this is the only chance we will have of focussing public attention on these things. I will be supported in more detail by other members of the Opposition. We protest most vigorously. Because of discrimination as between sections of employees of the Crown and the failure of the Industrial Court to rectify moral, social and wage injustice in the community, we are entitled to vote against the measure, and that is what we propose to do.

Mr. LLOYD (Kedron) (12.24 p.m.): I add my protest to that of the Leader of the Opposition against the discriminatory attitude of the Government towards different sections of the community. During the past few months the Premier and his Ministers have adopted a favourable attitude to certain high officers of the various departments, compared with the attitude they have adopted towards members of industrial unions who are employees of the departments, and industrial employees in outside industry. I take as an example the painters and dockers' dispute involving the Department of Harbours and Marine. It arose purely because of a difference of opinion between the Treasurer and the Federated Ship Painters and Dockers' Union. It commenced over an award that was established by the Commonwealth Conciliation Commissioner, which gave some additional advantages to the union. An appeal was lodged immediately by the Treasurer and the Metal Trades Employers' Association, and to an extent it was successful. Immediately following that, the Treasurer and the department chose to disregard the full terminology of the award and the conditions laid down therein. The Treasurer stated that because the award allowed men to be employed on either a permanent or a casual basis, he would refuse to engage any employees at Cairncross or South Brisbane as casuals. He said they would all be employed as permanents—they were all to be employed at the lower rate—ignoring the fact that until then there had never been more than four permanent employees. The dispute went to the court and the Conciliation Commissioner decided that the union was quite entitled to take the action it had taken.

Further problems arose then and they underlined the Government's attitude to the smaller unions—the craft and industrial unions—in our community. The Treasurer said that travelling time must be abolished, even though that provision was contained in the award. In reply to questions in the House he said, "Let the union go to the court." Again the union went to the court, and the court decided that the union was entitled to take the action it had taken.

From those actions we find on the one hand the attitude adopted by the Government towards the industrial unions, and, on the other hand, the attitude adopted twards the higher-salaried officers of the Public Service. To them, the Government adopted a more amenable attitude and said, "We will agree to certain increases." In 1958 that was their attitude towards the whole of the Public Service. They decided then in conference with the union, before the court hearing, that there should be some gradual rise in the salaries of Queensland public servants to bring them into line with those of public servants in other services and of employees in insurance offices and banks. There could be no objection to that, but somewhere along the line we have to exhibit a consistent attitude to all sections of the community.

In the Commonwealth Engineering dispute we had a further instance of the Premier saying, "Go to the court." In fact, he invoked the emergency powers of the Government to force the employees engaged in the dispute to go to the court, knowing full well that because there was a comparison with the marginal payments to the employees——

Mr. Nicklin: I do not know what all this has to do with the Bill.

Mr. LLOYD: The Premier knows very well that there was a comparison between the marginal payment in Queensland and that in New South Wales and Victoria.

Mr. Nicklin: This is not an Arbitration Court.

Mr. LLOYD: Never mind whether it is an Arbitration Court or not.

The CHAIRMAN: Order! Ever since the Leader of the Opposition commenced making comparisons I have been considering the extent to which I would permit hon. members to develop these comparisons. I have to hear an argument before I can reach a decision. The Leader of the Opposition was allowed a great deal of latitude when making his comparisons, but he did come back to the purpose of the Bill. I must advise all hon. members that when dealing with this Bill, while a certain amount of latitude is allowed to enable them to draw analogies, or to make comparisons, an argument must not develop along the comparisons; it must develop along the principles of the Bill. Otherwise I will have to ask hon. members to cease speaking.

Mr. LLOYD: I shall proceed to develop my argument and disclose the real reasons why we are opposing the Bill. In doing so, and in order to make it relevant, I intend

to quote the difference between the payments in 1955, to the public servants concerned, and the proposed payments. That will give the Committee an indication of the increase that has been granted to these members of the Public Service since 1955. The comparison I am about to draw will show how favourably these officers have been treated compared with the treatment meted out by the decisions of the Industrial Court to the disadvantage of the industrial unions of Queensland. The following is a comparison of the salaries of these officers as at November, 1955, with the salaries proposed—

—	Salary as at November 1955	Salary Proposed	Increase
	£	£	£
President of the Land Court	3,675	5,000	1,325
Members of the Land Court	3,150	4,500	1,350
Auditor-General ..	3,650	4,700	1,050
Commissioner for Railways	4,375	5,400	1,025
Public Service Commissioner	3,675	4,700	1,025

Those are the overall increases since the last increase was granted in 1955.

Mr. Walsh: I don't know how he works that out when he says Members of Parliament are not entitled to any increase.

Mr. LLOYD: I believe that will be the subject of another debate. However, the Government should be consistent in their attitude to these matters. They have laid it down that the Industrial Court's decision on the 1954 margin will apply, that the 28 per cent. will be added to that margin as it was granted either in 1954 or 1955, and that any increases that have been granted subsequently will be subtracted from the 28 per cent. Briefly, that was the decision of the Industrial Court and in this matter that submission was almost identical with the advice that was given to the Industrial Court at the hearing by the Public Service Commissioner. If that is the case, we have to accept it as the policy of the Government at that time. The report of the Public Service Commissioner gives us a brief summary, and the Premier, in introducing the Bill, gave the Committee some history of the decision of the Industrial Court on margins and of the submissions that had been made. But, in respect of these officers, the Public Service Commissioner, at the direction of the Government, gave the court different advice. He impressed on the court the need to take into account the increases granted in the South and the fact that the 1958 increases had been granted on a like-with-like basis. If that had been the case, we should accept it as applying to public servants, junior and senior, including these officers. We would accept it completely if the Government had been sincere and consistent in their original attitude to all employees, including tradesmen engaged in industry. It is all very well for them to say that employees of the Public Service, trading banks and insurance companies are more highly trained and deserve higher salaries than tradesmen. I do not accept that. As my Leader pointed out, many tradesmen employed in industry have to undergo a longer period of education and training and have to pass higher tests and examinations than many of the clerical officers of the Public Service. I am trying to make my argument relevant by establishing a basis to show that similar increases should have been granted to all other sections of the community, including those employees covered by the building trades award, the engine-drivers' award and the many other awards for skilled and unskilled workers and that the decision of the court should apply to all sections of the community.

The increase of £1,325 from £3,675 to £5,000 for the President of the Land Court is a very heavy one, amounting to over 33⅓ per cent., while the increase granted to members of the Land Court amounts to almost 40 per cent. of what they were receiving in 1955. If we were to apply that scale to a man employed in any industry in Queensland, I am sure everybody would be completely happy. There would be no arguments and none of the industrial disputes that we have at present. We would not have employees in New South Wales and Victoria being paid over-award payments——

Mr. Nicklin: What has this to do with the Bill?

Mr. LLOYD: It has something to do with the Government's insistence on these unions going to the court and the decision that the Premier and the Government assisted the court to make.

The CHAIRMAN: Order! I have warned the hon. member that he cannot develop his argument any further. If he has nothing further to say on the Bill and the specific salaries referred to in it, I think he should resume his seat.

Mr. HANLON: I rise to a point of order on the matter of your ruling, Mr. Taylor. The business sheet says, "Consideration in Committee of the desirableness of introducing a Bill relating to certain statutory salaries and allowances." As I understand that, I think we would be entitled to argue that it is not desirable that this Bill be introduced unless wage justice is granted to other people.

The CHAIRMAN: Order! I have ruled that this discussion must centre round the salaries and allowances referred to by the Premier in his speech. I have allowed the hon. member for Kedron to make comparisons, and I have noticed, and every other hon. member will have noticed, that argument is developing on the comparisons and not on the particular salaries and allowances mentioned in the Bill. I must ask the hon. member for Kedron to concentrate on the salaries and allowances contained in the Bill.

Mr. LLOYD: Let me put it this way: I accept your ruling at present, but I will give it a little further consideration. May I develop my argument by saying that we oppose this legislation on the basis that it grants an increase greater than 28 per cent. of the 1954 margin?

The CHAIRMAN: Order! That has nothing to do with this Bill. The hon. member has declared his opposition to the Bill for reasons that he has given. He has developed his argument on those reasons, and if he has nothing further to say, I ask him to resume his seat.

Mr. LLOYD: I am just asking for your opinion, Mr. Taylor. I do not think you understood me correctly. We expressed our opposition to this legislation, but it was not straight-out opposition. We will develop that theme later on. All I am asking is whether we can base our opposition to this legislation on the fact that it accords to these public servants mentioned in the legislation a much higher increase in salary than an increase based on the decision of the Industrial Court——

Mr. Nicklin: It is based on the decision of the court.

Mr. LLOYD: In relation to employees under other awards. May I base my case on that?

The CHAIRMAN: Order! The hon. member knows that I have not seen the Bill, and he has not seen the Bill. We accept the presentation by the Premier of what is contained in the Bill, and the discussion must centre round that. There was nothing in the Bill about margins, as far as I heard the Premier's outline of it.

Mr. LLOYD: I beg to differ slightly from you there, Mr. Taylor. In outlining the Bill, I say with due respect—I think the Premier will agree with me—he did say that marginal increases were granted to public servants. He then proceeded to outline the decision of the court relating to public servants, and he then related his remarks on that to the necessity for increasing the salaries of the public servants mentioned here.

Mr. Nicklin: And these salaries were based on the court's award.

Mr. LLOYD: That is correct. I take it, therefore, that we can discuss the reasons why the Premier is introducing this legislation.

Mr. Nicklin: The reason is to bring these officers into line with Public Service increases.

Mr. LLOYD: That is correct. If we accept that, surely we have to accept the fact——

Mr. Nicklin: That has nothing to do with margins in Victoria.

Mr. LLOYD: With due respect to the Premier——

Mr. Nicklin: What have over-award payments in Victoria to do with this Bill?

Mr. LLOYD: Let me quote the Public Service Commissioner's report at page 27 where he deals with this matter. The report reads—

> "The Court in its judgment reviewed the recent history of salary fixation in Public Service awards and pointed out that, in 1955 and 1957, salaries were increased on the basis of comparison with Public Service rates in other States and in the Commonwealth Service. Commencing upon increases agreed to in 1958, the Court said the parties made salaries in other States a basis of their agreement and, as regards Male Clerks, had been influenced by salaries paid in non-Public Service establishments, such as private banks, insurance offices and to Clerks in wool stores."

In other words, the court based its decision on the fact that certain increases were granted in the southern States. The State of Victoria was one of those States. That denies the Premier's statement.

The new salaries for the public servants mentioned in the Bill represents large increases on the 1955 salaries. The Court's decision covering the building trades, engine-drivers and the various awards for skilled and unskilled labour was an entirely different one. As there is a greater number of employees in the industries covered by those awards than in the Public Service, we fail to see why there should be one law for one section and another law for another. For that reason we oppose the legislation. At a later stage we hope to move amendments to the Bill to ensure that there will be a 28 per cent. increase on the 1955 salaries of these officers. As you say, Mr. Taylor, we have not yet seen the Bill, but it would appear that an increase of £750 on the 1958 figures is to be granted to the President of the Land Court. If the increases are related to earlier years we find that they are ever so much greater.

Mr. Nicklin: What about going back to 1900?

Mr. LLOYD: If the Premier has not got a list of the continuous increases that have been granted I cannot help him. I have already read to the Committee the big increases that were granted to public servants in 1955. Since then there have been further increases. We need some form of consistency. From time to time the Government have told the unions that they must go to the court. In 1958 the increases to public servants were granted in conference. There was no suggestion then that the Queensland State Service Union or the Professional Officers' Association should have to go to court to secure their increases.

There was no great objection to the Government's attitude on that occasion, as there would be no objection to any attitude that would indicate that the Government were prepared to confer with all people working under all Queensland awards. But the Government have failed to give that indication to any section of the community not covered by the Public Service Award. It is the only award in respect of which the Government are prepared to confer. The Government were requested by the court to confer on margins. We concede the fact that it would not be possible to deal adequately at the one time with all sections of the claim submitted by the Public Service Union. Four key classifications were submitted to the court for determination. The court gave its decision, but the decision was based upon different premises from those upon which it based its decision covering certain other employees in the public service. Those employees are wages employees, not clerical employees. They are employed on construction work for the Department of Public Works, the Main Roads Commission and other sections of the Public Service. They are tradesmen who are entitled to the same wage justice as has been extended to the clerical section of the Public Service. But the decision of the court in their case, as a result of advice tendered by the Public Service Commissioner, acting for the Government, was on a different plane altogether.

We have now reached the stage of granting these heavy increases to senior public servants. I do not suppose it will be possible for the Opposition to do anything about it but, had we been given an opportunity during the debate on the Estimates yesterday—had we not been prevented by the filibustering tactics of some members on the Government benches—we would have discussed this matter in the Estimates of the Department of Labour and Industry.

A Government Member interjected.

Mr. LLOYD: The hon. member was one of them.

The CHAIRMAN: Order! The hon. member will get back to the Bill.

Mr. LLOYD: Many of the matters we could have spoken on yesterday can be related to our argument in opposition to this Bill. I have endeavoured to do that. The position is that the section of the Public Service that is employed on construction work has been denied the same treatment as was given to the clerical section of the same Service, and we feel that we have every reason for opposing the Bill. The Government should be consistent in their attitude and, if they are to grant the large marginal increases that they have granted since 1955, similar increases should also be granted to other sections of the Public Service in the various Government departments.

The Opposition intend to examine the increases suggested by the Government on this occasion and, if possible, to have them reduced to approximately the same level as the margins granted to industrial unions outside and to wages employees in the Public Service.

Mr. MANN (Brisbane) (12.48 p.m.): The order of the day in relation to this Bill introduced by the Premier reads—

> "Consideration in Committee of the desirableness of introducing a Bill relating to certain statutory salaries and allowances."

In outlining the reasons for bringing the Bill down, the Premier said that the salaries of certain Crown employees could be increased only by Act of Parliament, and he is today asking Parliament to authorise the Government to increase the salaries of members of the Land Court, the Auditor-General, the Commissioner for Railways and the Public Service Commissioner. He has also indicated that the increase to be granted to each of the persons I have mentioned will be roughly £700. I have not the present salary rates of these officers, but the Premier informed us that members of the Land Court will receive £4,500, the Commissioner for Railways £5,400, the Public Service Commissioner £4,700 and the Auditor-General £4,700.

The Opposition have not had an opportunity to castigate the Government or to bring their attitude before the public notice, but I would say that the year 1960 will go down on record as the one in which the Government fed the "tall poppies" and at the same time denied wage justice to those on the lower income bracket. I base my contention on the fact that the Government during this session intervened in the Federal Arbitration Court and intimated to the court that they were opposed to an increase in the wages of employees in the lower bracket.

The CHAIRMAN: Order! That matter is irrelevant.

Mr. MANN: I contend that the court took some notice of the statement of the Government and the attitude of the Government in arriving at its decision. I should like to draw attention to a passage in the report of the Public Service Commissioner. I hope, Mr. Taylor, that you will not rule that it is irrelevant. I want to get it in.

The CHAIRMAN: Order! The hon. member knows he cannot enter into an argument with the Chair. I point out that we are not discussing the Estimates to which the Public Service Commissioner's report relates. We are discussing the Bill, and a reference to the Public Service Commissioner's report may be incidental, but it does not come within the scope of the debate.

Mr. MANN: The Government were prepared to give increases up to £700 to the tall

poppies in the Public Service but they displayed a different attitude when it came to granting increases to ordinary workers in industry. They even entered an appearance in the Federal Arbitration Court.

The CHAIRMAN: Order! I have already ruled that reference to the Federal Arbitration Court is irrelevant.

Mr. MANN: I believe, Mr. Taylor, you are endeavouring to stifle the debate.

The CHAIRMAN: Order! The hon. member has reflected on the integrity of the Chair and I ask him to withdraw his remark.

Mr. MANN: I withdraw it. I would be the last to cast any reflections on the Chair. I know the responsibilities of the Chair are great and heavy, but, Mr. Taylor, in view of your ruling that we cannot discuss any matters other than those dealt with in the Bill, I move—

"That the Chairman's ruling be disagreed to."

Mr. Hanlon: The hon. member for Windsor spoke about the city council under the Fire Brigades Bill.

The CHAIRMAN: Order!

Mr. Hanlon: And he was not called to order.

The CHAIRMAN: Hon. members may speak for five minutes, and the debate must conclude within 30 minutes.

Mr. MANN (Brisbane) (12.53 p.m.): I contend that the introductory stage of a Bill gives hon. members an opportunity to discuss not only the matters covered by the Bill, but also any other matters that may be relevant to it. In dealing with the increases of £700 for top public servants hon. members, I submit, should be allowed to discuss the salaries of workers in the lower-wage bracket, particularly as the Government saw fit to enter an appearance in the Federal Arbitration Court, to oppose increases for workers in the lower-wage bracket and draw attention to the effect that such increases would have on the economy of the State. Hon. members should have an opportunity to compare the Government's attitude towards workers in the low-wage brackets—as indicated by their appearance in the Federal Court and their opposition to increases for those workers—with their attitude in introducing a Bill to give increases of £700 to top public servants. We should be able to give reasons why the Bill should not be accepted and why increases of £700 to tall poppies in the Public Service should not be given. We are entitled to draw attention to the fact that the Government set out to influence and intimidate the court by their opposition to increases for workers in the lower-wage brackets.

Mr. NICKLIN: I rise to a point of order. I draw your attention, Mr. Taylor, to the fact that the hon. member for Brisbane said the Government intimidated, or used undue influence on, the court. That is a reflection on the court.

Mr. MANN: It is a reflection on the Government.

The CHAIRMAN: Order! I must point out to the hon. member for Brisbane that when he refers to the court he refers to the personnel of the court, and the personnel of the court comprises a Judge of the Supreme Court. The hon. member knows that he cannot make reference to a Judge of the Supreme Court except on a substantive motion, and I consequently ask him to withdraw his statement.

Mr. MANN: I bow to your ruling, Mr. Taylor, and withdraw the statement that the court was intimidated. Could I use the word "influenced"?

I say that the attitude of the Government in sending somebody to the Federal court to point out to that court the effect that an increase in the wages of workers in the lower-income bracket would have on the country's economy finally influenced the court in this State in its attitude to the lower-income workers. It would help to deter the court from granting an increase in wages to workers in Queensland.

An Honourable Member: That would be correct.

Mr. MANN: I am very glad to have the hon. member's advice on that.

I asked you, Mr. Taylor, if I could use the word "influenced". As you did not reply, silence denotes consent. I say that because of the attitude of the Government the court was influenced in all its decisions affecting the lower-wage workers.

The CHAIRMAN: Order! I suggest that the hon. member use the words "may have been influenced".

Mr. MANN: Very well, may have been influenced. I feel strongly on this matter, Mr. Taylor, but on your advice I say, "may have been influenced".

There is a growing demand by the workers in outside industry for wage justice. We want to bring home to the Government, and to the people, that we are not unaware of the position. We would be recreant in our trust to the people, and to the trade unions that we represent as the Australian Labour Party, if we did not bring very clearly before the Committee and the community the example the Government have set by feeding the "tall poppies" in the higher-income bracket. We would be failing those whom we represent if we did not seek equal treatment for them.

Mr. Taylor, if you were getting £13 13s. a week, which is the basic wage, and you read in the Press that somebody was getting an

extra £15 a week—a man who is in receipt of such a high salary that he hardly needs any more—what would be your thoughts?

I have moved the motion of dissent to your ruling, Mr. Taylor, on the grounds I have outlined.

Mr. LLOYD (Kedron) (2.15 p.m.): I support for two reasons the motion of dissent moved by the hon. member for Brisbane. Firstly, we claim the right to give the full reasons for our opposition to this legislation. Secondly, the Premier when introducing the Bill gave the reasons—and rightly so—for the increases proposed to be granted to senior public servants. He gave as one ground the court's decision on the claim relating to public servants. The hon. member for Brisbane wished to read to the Committee the submissions made by the Public Service Commissioner to the court in that case and also the court's decision. I differ from the Premier. The Premier gave the court's decision as the reason for the proposed increase in these salaries. Let us look at the court's decision—and I relate this to our remarks on the margins granted by the Commonwealth court. The Bill would never have been introduced had it not been for the fact that the Commonwealth court granted a 28 per cent. margins increase in the Federal Metal Trades Award. From there we went to the hearing in the State court. I contend that we are entitled to use the whole margins case here to give our reasons for moving the motion disagreeing to your ruling. The court decided that the margins increase was based on the margins prevailing in 1954 and took into account any margins increases granted by it since that date in its decision on tradesmen's increases. We then relate our remarks to the fact that the Premier has disregarded that court decision, and we are entitled to place this fact before the Committee. As the court has made two decisions—one covering the great majority of workers in industry and another covering only a section of them—any salary increase granted under the Bill should be in line with the court's decision affecting the majority of workers, and that should be taken into consideration by Parliament in determining the extent of the increase. We are entitled to put that contention forward. It is wrong for the Committee to decide that preferential treatment should be given to senior public servants over thousands of ordinary workers and public servants in receipt of lower salaries. We have to decide the matter as a Parliament. If it has been decided by the court, we must take that into consideration. We must consider, too, how many in the community will be affected by the decision. The hon. member for Brisbane wished to place this matter before the Committee. He wished to read the submission made by the Public Service Commissioner to the court and, so far as this legislation is affected by the courts decision, he is entitled to read to the Committee the submissions of the Public Service Commissioner relating to one section of the workers and his submissions relating to the other section, and also, if necessary, to reveal the court's determinations on both matters. As the Premier, in his introduction, has related the whole of this increase in salaries to the marginal increases, we are——

Mr. Nicklin: I did not relate anything to the Federal court.

Mr. LLOYD: The Premier again interjects. He is trying to come back to the Federal court.

Mr. HANLON (Baroona) (2.21 p.m.): I support the motion of dissent that has been moved by the hon. member for Brisbane, firstly because I think, Mr. Taylor, that your ruling is not soundly based even if we follow the letter of the Standing Orders, but more particularly because I think your attitude on this occasion, at this stage of the Bill, is entirely inconsistent with the attitude you have adopted generally at this stage of other Bills and the attitude that has been adopted, more or less as a practice, by chairmen of committees over a long period before you.

I realise that you have a very difficult task in deciding the question of relevancy on the introductory stages of a Bill, but I think your ruling in this particular case has come dangerously close to taking to yourself the decision not as to relevancy but as to the actual desirableness of introducing this Bill, because the Premier's motion that we are considering at the moment relates to the desirableness of introducing a Bill in relation to certain statutory salaries and allowances. It is true that if we wanted to oppose this measure and discuss it on the ground that it is not desirable to introduce it because the weather is not good or the Weipa agreement has been delayed, you would rule us out of order, because we would be trying to take advantage of the debate to deal with something that had absolutely nothing to do with statutory salaries and allowances. But the decision of the Government—and it is a decision of the Government; it remains to be seen whether it is a decision of this Parliament—that it is desirable that this Bill be introduced increasing these salaries to such an extent must be related to the general salary situation of people throughout the State, because the Government have obviously made that decision—or I hope they have—taking into consideration not only the general salary position, not only the decisions of the court (a matter that the Premier himself introduced), not only the principle of like with like, but also the whole economic set-up of the State. If we are to set these particular officers aside and allow Parliament to decide whether salary increases are justified and to what extent, we must take into account the general effect our decision will have on the people and their general response to this measure, particularly to the amounts by which these salaries will be increased. That is all the Opposition are seeking to do today.

I am very disappointed, and I hope that the attitude you have taken today—I do not think it is—is not as a result of some indication that has been given to you by the Government on this measure, because your attitude appears to me to be completely different from the attitude you have adopted on the introductory stage of other Bills that have come before Parliament in this session. I do not want to be disrespectful to you or to the Government, but no doubt your decision will be upheld by weight of numbers. However, you may find that, although your decision is upheld here, you may be in the same position as your colleagues in the Federal Parliament, that is, that whilst they can maintain decisions with supreme contempt for public opinion in the Federal Parliament, ultimately they have to face the people and accept the decision of the people. I think the people of Queensland would be anxious to have this matter debated fully today. As I said, I do not think your ruling would be justified even on the strict reading of the Standing Orders relating to this stage of the debate. We are not looking at this from the point of view of gaining any party political advantage. This is a democratic Parliament, and this is a general matter of salaries throughout Australia and their effect on our economy, particularly in relation to salaries in the higher-income bracket. The people wish this matter to be debated very fully, Mr. Taylor, and I am very sorry that you have adopted this attitude. I think that you have done it with the purpose of trying to carry out what you consider to be your duties as Chairman, but I hope that no pressure has been brought to bear on you by the Government in an endeavour to get you to restrict the debate.

Mr. Nicklin: That is an unworthy statement coming from you.

Mr. HANLON: I make the suggestion only because it is supported by what happened when the Committee was considering other legislation. I mentioned one Bill by way of interjection. When a Bill was introduced relating to certain lands held by the Metropolitan Fire Brigades Board upon trust for fire brigade purposes the hon. member for Wavell brought in personalities.

(Time expired.)

Mr. SHERRINGTON (Salisbury) (2.26 p.m.): I rise to support the motion for reasons similar to those expressed by the hon. member for Baroona. In the life of this Parliament I have felt that in your wisdom, Mr. Taylor, you have allowed a wide scope for discussion in the various debates. You have permitted the discussion of any subject as long as it related to the item or Bill under debate. But now you apply what is virtually a gag and, quite frankly, I am at a loss to understand the reason for it. Salary increases for the public servants covered by the Bill cannot be divorced from the general wage structure of workers in Queensland. The Bill has a direct relationship to the principle adopted in recent months to increase the wages of public servants. We have no quarrel with that whatsoever. The Premier himself has said that the Government have to attract the best possible brains to the Public Service, and to do so they must offer them adequate remuneration. Again, we have no argument with that. We are trying to bring to the notice of the public and Parliament the different attitude of the Government towards their top public servants and towards their workers on manual tasks. That is why we take objection to the decision.

Mr. Low interjected.

Mr. SHERRINGTON: I am not going to waste my time on the hon. member. We saw his party's methods yesterday, so I shall not sacrifice my time on him.

Is it not equally important that we should attract the best possible brains to our body of tradesmen in the Public Service? Is it not equally important that the Government should provide conditions that would encourage workers in industry to become workers of the Government? Is it not equally important that in the Department of Public Works, in which we boast we have the greatest day-labour force in the southern hemisphere, conditions are related to the conditions enjoyed by top public servants? The people of Queensland are dissatisfied with the pattern followed by the Government. As representatives of a democratic people we are perfectly entitled to relate matters which we think have relevance to the subject under discussion. That is why I am at a loss to understand why, at this stage, Mr. Taylor, you should apply what amounts to a gag. There is ample evidence in the report of the Public Service Commissioner of the relevance of the matters that we wish to discuss on the Bill now before the Committee. As previous speakers have pointed out, this is the first opportunity members of the Opposition have had to express their dissatisfaction about Public Service salaries. If we are to have stone-walling tactics like those adopted by hon. members yesterday, aided and abetted by a ruling such as this, the Opposition are being hamstringed in the presentation of a case which we think is relevant to the Bill before the Committee. I take great pleasure in associating myself with the motion to disagree with your ruling, Mr. Taylor.

Mr. HOUSTON (Bulimba) (2.30 p.m.): I support the motion of dissent as, like previous speakers, I consider that your ruling should be disagreed with. After all, the motion before the Committee deals with the desirableness of introducing a Bill relating to certain statutory salaries and allowances. Frequently when Bills have been before Parliament the Ministers introducing them have not seen fit to tell us of various principles that they contain.

Mr. Nicklin: Name one.

Mr. HOUSTON: It has happened on more than one occasion.

Mr. Nicklin: Name just one.

Mr. HOUSTON: The Minister for Labour and Industry, on more than one occasion, has not given us full details of everything in a particular Bill. Ministers often say, "We will give hon. members more information on the second-reading stage." There is no guarantee on this occasion that the Premier has told us all that is in the Bill.

Mr. Nicklin: You get more than we used to get.

Mr. HOUSTON: The Premier made no mention at all of allowances, yet allowances are included in the Bill.

Mr. Hanlon: Retrospectivity, too.

Mr. HOUSTON: Retrospectivity is another matter that is dealt with. The word "allowances" is mentioned in previous legislation and, as the Premier has not mentioned it on this occasion, are we to assume that no allowances will be made? A glance at the 1958 Act will show that the Land Court President was then paid a salary of £3,912, yet today when the Premier introduced the Bill he said that the Land Court President is at present receiving £4,250. How did that increase come about? The last time legislation of this nature was introduced the Public Service Commissioner's salary was stated at £3,912, yet today the Premier tells us that it is £3,995. Where did the extra £83 come from? The Premier has not told us that. He may tell us later on. He may very well say that it is the result of cost-of-living adjustments or something else, but as yet he has not said so.

This Bill is a departure from previous legislation of this nature. In the 1954 Bill all the officers mentioned received an increase of £320 per annum plus cost of living; in 1955 they each received £631 10s. plus £5 10s. cost of living; in 1958 they each received £200 plus £37 cost of living. On this occasion the Public Service Commissioner is to get £705 while the President of the Land Court will get £750. The Commissioner for Railways will get £705 and the Auditor-General £730. Therefore, there is no relationship between this Bill and previous Bills of this nature.

Mr. Nicklin: Their salaries vary in rate, you know.

Mr. HOUSTON: That is right, but why did not the Government vary the increases on previous occasions?

Mr. Nicklin: It has been done.

Mr. HOUSTON: It has not been done at all; there has been a flat rate of increase on every past occasion. The cost-of-living adjustment varied from year to year but I repeat that in 1954 each classification received an increase of £320 plus £82 cost-of-living; in 1955 they each received £631 10s. plus £5 10s. cost of living, and in 1958 £200 plus £37 cost of living. On this occasion they have not each gone up by the same amount so there must be another factor affecting them and the Opposition is trying to find out what it is. We feel that if the Premier does not see fit to tell us his reasons we should discuss the matter.

That is why, Mr. Taylor, we feel we are entitled to discuss the matters that we believe to be relevant. I do not say that the Premier believes them to be so but we feel that anything concerning wage relations, cost of living or anything else of that nature is related to this subject and we should be allowed to discuss it.

Hon. G. F. R. NICKLIN (Landsborough—Premier) (2.34 p.m.): Mr. Taylor, I should like to take the opportunity, before time expires, of saying that I entirely agree with your ruling.

Mr. Hanlon: Naturally.

Mr. NICKLIN: I feel that you have been particularly lenient all morning in the way that you have allowed so many irrelevancies to be discussed by hon. members opposite. Nobody can accuse you, Mr. Taylor, of not being a lenient Chairman. Hon. members have admitted that they have, over the weeks, been allowed very full and free discussion.

Mr. Hanlon: What about when you talked about the Q.C.E. and Mr. Bukowski, and all that stuff?

Mr. NICKLIN: We are now discussing the Chairman's ruling.

Mr. Hanlon: That is what you discussed on every Bill when you were in Opposition.

Mr. NICKLIN: Before you intervened for the first time, Mr. Taylor, you had allowed a considerable amount of discussion that was entirely irrelevant to the motion before the Committee.

Mr. Lloyd: You gave the reasons for introducing the Bill.

Mr. NICKLIN: The hon. member spoke for five minutes before he even mentioned the Bill or its purpose. How, then, can hon. members opposite get up and say that you have been harsh on them and that you have endeavoured to stifle the debate? The Bill is a very simple one. It deals entirely with statutory salaries. Hon. members who have been in Parliament for a number of years have passed Bills of this nature from time to time. They know the statutory salaries covered by such Bills and the reasons for the introduction of such Bills. The measure has nothing whatever to do with the Federal Arbitration Court, over-award payments in Victoria, and all the other matters raised during the debate.

The point on which you, Mr. Taylor, differed with the hon. member for Brisbane was entirely irrelevant to the debate. He was dealing with some action of the Federal Court. How can he connect an action of the Federal Arbitration Court with a Bill that provides for the statutory fixation of salaries, a matter that is outside the jurisdiction of any court of arbitration? That is the right of Parliament, and entirely the right of Parliament. You were very lenient, Mr. Taylor, in allowing the wide discussion that has taken place on arbitration courts and on arbitration methods.

The Bill fixes the salaries of certain public servants. What a court has said in regard to anything else is irrelevant. In introducing the Bill I said there was a certain connection between the amounts being granted to these four public servants and the increases to the highest-paid public servants, that they were related to the decision of the Queensland Iudstrial Court on increases to the highest-paid public servants under the Public Service award.

I should say, Mr. Taylor, that you have been more than lenient. Instead of moving a motion of disagreement with your ruling, Opposition members should rise and say, "Thank you for the leniency you have displayed."

Mr. DAVIES (Maryborough) (2.39 p.m.): Mr. Taylor, I have much pleasure in supporting the objection to your ruling. Certain increases in salaries have to be agreed to by Parliament. They range from £12 to £14 a week. The Premier expects hon. members——

Mr. Nicklin: You are out of order.

Mr. HANLON: I rise to a point of order. The Premier has interjected and has said that the hon. member for Maryborough is out of order. Could hon. members be informed whether it is his decision or yours, Mr. Taylor, that he is out of order?

Mr. Nicklin: That is my opinion.

The CHAIRMAN: I did not hear what the hon. member for Maryborough said that might be described as being out of order. I ask him to repeat it.

Mr. DAVIES: I claim that hon. members have every right to demand to know the reason why increases of £12 to £14 a week should be granted to any individuals in the State.

The CHAIRMAN: If the hon. member prefaces his remark by saying that that is why he is disagreeing with my ruling, he is in order, but, if he is discussing that question alone, and not the Chairman's ruling, he is out of order.

Mr. Nicklin: I was right. (Government laughter.)

Mr. DAVIES: I have already said, although you could not hear me owing to the disorderly conduct of Government members—and I repeat it for your benefit, Mr. Taylor—that I support the objection to your ruling. It seems to me that these increases flow from certain circumstances that have arisen over a number of years, which have resulted in extraordinary increases in wages and salaries throughout the Commonwealth. The fact that you will not permit us, Mr. Taylor, to discuss the reasons is greatly resented. Recently in the Commonwealth we had the spectacle of certain army expenditure amounting to millions of pounds—

The CHAIRMAN: Order!

Mr. DAVIES: We have been gagged again.

The CHAIRMAN: Order!

Mr. DAVIES: The same as last night.

The CHAIRMAN: Order! Under Standing Order No. 118 the debate upon the question of the Chairman's ruling is concluded.

Question—That the Chairman's ruling be disagreed to (Mr. Mann's motion)—put; and the Committee divided—

NOES, 31

Mr. Armstrong	Mr. Madsen
,, Campbell	,, Munro
,, Chalk	,, Nicklin
Dr. Delamothe	Dr. Noble
Mr. Evans	Mr. Pilbeam
,, Ewan	,, Pizzey
,, Gaven	,, Ramsden
,, Harrison	,, Richter
,, Hart	,, Smith
,, Herbert	,, Sullivan
,, Hewitt	,, Tooth
,, Hiley	,, Wharton
,, Hooper	
,, Hughes	*Tellers:*
,, Jones	Mr. Hodges
,, Knox	,, Rae
,, Low	

AYES, 21

Mr. Baxter	Mr. Hanlon
,, Bromley	,, Houston
,, Burrows	,, Inch
,, Byrne	,, Lloyd
,, Davies	,, Mann
,, Davis	,, Marsden
,, Dean	,, Sherrington
,, Donald	
,, Duffiey	*Tellers:*
,, Duggan	Mr. Melloy
,, Graham	,, Thackeray
,, Gunn	

PAIRS

Mr. Wallace	Mr. Lonergan
,, Tucker	,, Morris
,, Bennett	,, Roberts
,, Newton	,, Gilmore

Resolved in the negative.

Mr. MANN (Brisbane) (2.48 p.m.): Mr. Taylor, your ruling has been upheld but I should like to say that I always appreciate the position of the man on a fixed salary. Sometimes he is not considered in the scheme of things when adjustments to salaries are being decided. He should be given some sympathy and so should the man on a fixed income. I view the subject of salaries in the same way as the ordinary

basic-wage earner looks on what he receives in his pay packet. By the Bill, the Government are granting substantial increases amounting to about £700 a year to top public servants. The Opposition do not say that those men are not worth the money—far from it. However, we are drawing attention —and rightly so—to the fact that those in the top brackets are going to be given higher salaries. The Government are feeding the fatted calf; they are favouring the "tall poppies" in the Government service. I want to draw the attention of the Premier and the Treasurer to the effect that it will have on the general public. I assure them that it will have a very strong effect on the average worker in industry. To the man who is getting only a few shillings a week, the Government say, "You had better go to the Court." They have said it to the railway men——

The CHAIRMAN: Order!

Mr. MANN: I know you will not allow me to talk about the storemen and packers and the dockers, or anything like that, because it is out of order now that your ruling has been upheld, but the worker will ask himself, "Why should I go to the court for a few lousy shillings when the Government can, by Act of Parliament, give to top public servants an increase that is more than the basic wage? I warn the Government that their attitude will bring unrest and discontent throughout industry. When the working men and women read in the Press tomorrow that the Government have introduced this Bill giving an increase of £700 to the tall poppies in the Public Service they will say, "The Government told us to go to the court, and we got a lousy few shillings." It is quite evident that the Government are pandering to those in high places, saying what good fellows they are, giving them these substantial increases, and at the same time denying wage justice to men on the basic wage and just above the basic wage.

Mr. HANLON (Baroona) (2.51 p.m.): Because of the decision by the Committee endorsing your ruling, Mr. Taylor, I think the Opposition will have to make a completely new approach to this debate, because the desirableness of introducing a Bill relating to certain statutory salaries and allowances has to be considered strictly on its own merits. If it has no relation to Industrial Court judgments, the general economy of the country, or what the public of Queensland will think, frankly, I find it very difficult to decide on what ground we should approach this motion. This Bill proposes to increase the salary of the Auditor-General, as I understood the Premier's remarks, from £4,250 to £5,000. I may have been confused between the Auditor-General and the President of the Land Court, because I think the Premier did say later that the Auditor-General's salary would be increased from £3,970 to £4,700.

Mr. Nicklin: That is the Auditor-General, £3,970 to £4,700.

Mr. HANLON: Yes. The President of the Land Court will go from £4,250 to £5,000, other members of the Land Court from £3,750 to £4,500, the Commissioner for Railways from £4,695 to £5,400, and the Public Service Commissioner from £3,995 to £4,700.

On what grounds have the Government made their decision to introduce the Bill? The only grounds that I can see for its introduction with no relation to court decisions covering other people in the State is that executives and people in comparable positions in outside industry have been continually taking for themselves the cream of the national income of this country. They are in the fortunate position of being distinct from the ordinary worker who goes to the court and from those officers whose increases are fixed by Parliament. They decide what increases they should receive, or, if they do not decide for themselves, the directors or management of the firms decide what they shall be paid. I am referring particularly to those in the higher-income bracket outside the Public Service, and I shall refer later to those in the higher-income bracket in the Public Service.

It is obvious that no Government, whether they like it or not, can allow the position to develop where outside industry is continually offering a much greater inducement to people, particularly skilled people and executive officers in comparable positions in the Public Service, to work for private enterprise and not bring the return to their own officers up to a similar degree. I think that is the basic element of this problem: that private enterprise has been taking to itself and to a number of favoured people, at the expense of the general wage and salary earners outside, a greater and greater share of the increased productivity that we have seen in this country over a period of years. If that is one ground for the Government's decision I suppose it has to be recognised But, if we look at the Bill as the Industrial Court looks at any other application for increases in salaries or wages, we have to ask, "What has been the position since those officers last had an increase in salary?" For the time being let us ignore the increases that people outside have received. "What is the justification for an increase of roughly £700 for most of them?" I think I have previously pointed out this session that in my opinion, certainly until recent weeks when the Federal Government imposed additional sales tax on motor vehicles, generally speaking increases in prices in the last few years have not been related to luxuries—but to essentials like meat, sugar, bread, shoes——

The CHAIRMAN: Order! I hope the hon. member will show how this relates to the Bill.

Mr. HANLON: I am about to. Obviously if we appoint a Commissioner for Railways,

a Public Service Commissioner, an Auditor-General and members of the Land Court we do not expect them to walk around with the bottoms out of their sandshoes or trousers. We obviously regard them as men of ability when we appoint them to those positions. They are entitled to a return comparable with their qualifications and the responsibilities they hold. My point—and I think it is important—is that when the salary of, say, the Auditor-General was fixed at £3,970 it apparently was the considered opinion of Parliament (including hon. members opposite, because the Premier has skited how they used to let measures like this go through without any argument) that £3,970 was sufficient for the holder of that office to maintain himself in accordance with the dignity of that position. It was apparently Parliament's considered opinion that it was a fair return for the discharge of his duties considering what he could get by spending that £3,970. How is he more adversely affected since he was granted that salary of £3,970, or the Commissioner for Railways was granted a salary of £4,695, by increases in prices of what he would normally be expected to spend his salary on, than the average person in the community right down to the pensioner? I am not going to wander off onto the difficulties of the pensioner. I think you, Mr. Taylor, would realise those difficulties, but we have no say about what the pensioner receives. But what additional expense are any of these officers involved in today to maintain the dignity and requirements of persons occupying those offices? In what directions has there been a marked difference since Parliament last fixed their salaries?

Apart from the actual necessaries of life, which are allegedly covered by the cost-of-living index which the average wage and salary earner has to accept, there has been very little increase at all in prices except in speculative land sales. Until the Commonwealth Government increased the cost of motor vehicles by imposing heavier sales tax, motor vehicle prices had fallen by reason of a slight outbreak of competition in the trade. The Holden price has fallen since these salaries were last fixed. The price of refrigerators has fallen slightly, excepting for the effect of sales tax, over the last few years. The prices of most of those things that can be classed as luxuries have fallen. The only prices that have increased are those for the every-day necessities of life. It does not matter whether you are President of the Land Court, Commissioner for Railways, Auditor-General, Leader of the Opposition, Premier, or member of Parliament, or anybody else, the things that have gone up in price are those that we all use, irrespective of our incomes. They are not the things regarded as some sort of plum of office, or something upholding the dignity of office, like a more expensive motor-car than that owned by the ordinary person. Those things have not shown any increase at all. As a matter of fact, prices of many have actually come down.

In other words, the things over and above the requirements of the everyday citizen have actually come down in price, or at least have certainly not gone up since Parliament last fixed these salaries, and I suggest strongly that these officers do not require much more than a basic-wage adjustment to cover the increased costs that face them today. It is true, as the Deputy Leader of the Opposition has said so effectively, that certain marginal judgments have been given. I do not want to infringe on the Chairman's ruling in any way, but we can argue that these people are entitled to a rise comparable with those marginal judgments, why grant an increase of £14 a week to a man on £4,000 or £5,000 a year and only about 30s. to the ordinary wage-earner.

I ask the Premier what the extra £14 a week is based on at the present time. If we are in a position to say that we can now afford to pay all these officers an increase of that size, if we are going to agree as a Parliament that we can provide them now with an extra £14 a week—which as the hon. member for Brisbane said is more than the State basic wage—if we are going to say that the State is prosperious enough, or that productivity has increased to the extent where these people are entitled to £14 a week—whereas the cost-of-living adjustment is not more than a couple of pounds a week—obviously we are equally justified in saying that the general public and the working people of the State should have those things, to. If there has been such an improvement in our productivity that we can give £14 a week, in one lump to these people, why should we contest giving an additional week's leave to those who seek it? Why should we contest the desire of the average person in the community to receive some share of the general improvement that is suggested by the rate of the increase struck by the Government in this particular case?

I am astounded at the attitude adopted by the Premier during the course of the debate today in relation to the general public's reaction to this measure. I am not going to enter into an argument as to whether we have any responsibility or right to alter the Federal basic wage—obviously that is outside our jurisdiction except in so far as this Government have seen fit to——

The CHAIRMAN: Order! Discussion on the matter is outside the scope of this Bill. I ask the hon. member to stick to the principles of the Bill.

Mr. HANLON: Any person in this State who casts a vote at a State election is entitled to have his feelings expressed in this Parliament. Admittedly we have no jurisdiction and the course of this Bill will not alter by one penny the return to those on a pension or on the basic wage, but there is an obligation on all hon. members of this Chamber, not only those in Opposition but

also those on the Government side, to ascertain the feelings of these people towards a measure such as this.

The CHAIRMAN: Order! I think the hon. member has expressed himself sufficiently on that point. It has no relation to the Bill. I ask him either to discuss the Bill or to conclude his speech.

Mr. HANLON: I accept your ruling, Mr. Taylor. As I pointed out at the commencement of my speech the Opposition has been given no indication of the grounds on which the Government have brought forward the measure. If it has nothing to do with the margins granted in this State; if it has nothing to do with the people living and working in the State; if it has nothing to do with people working under Federal and State Awards, then what has it to do with? It has been said that it has nothing to do with the workers, and that they are not entitled to have their views expressed during this debate—that is, not in detail, as you have ruled, Mr. Taylor. I do not know the grounds on which the Government are bringing forward the Bill. It may be akin to the estimated deficit of £164,000 which apparently was just plucked out of the air, and which hon. members have to accept, whether they like it or not. I suppose the Premier said to the Treasurer, "What do you think, Tom? £500, £600, £700, £800," and I suppose the Treasurer said, "Make it £750 for some and £705 for others." As the matters I have already referred to have nothing to do with statutory salaries, Mr. Taylor, according to your ruling, I ask the Premier through you to tell the Committee what it is that the Bill has to do with.

The Premier has said that it does not relate to the cost of living of wage-earners. I accept your ruling, Mr. Taylor, that it has nothing to do with wages under Federal awards or wages under State awards. I am trying to find out what it has to do with, and I am trying to look at it as an arbitration court would, not as an arbitration court should. As the Leader of the Opposition, the Deputy Leader and the hon. member for Brisbane pointed out, in opposing this measure we are not saying that the officers who are being given salary increases under the Bill are not very fine officers. As the Leader of the Opposition said, with certain reservations as to the manner in which some were appointed, the Opposition accepts that their ability or capacity to carry out their work is comparable with their counterparts in private enterprise. We are not saying that they cannot justify the increases being given to them in that regard, but we are saying that, if we are going to relate the increases purely and simply to the general ecenomy of the State, we have to look at the increases as the Industrial Court would look at them, and our experience of the court is that it requires exhaustive proof of increase in productivity and exhaustive proof of the capacity of the economy to carry these increases before it is prepared to grant any increases at all, whether to the lowest wage rate or to the highest classifications that come within its jurisdiction. In that respect we have not had any evidence from the Premier to prove that productivity has increased to such an extent that these salaries can be increased by up to £14 a week. We have received no evidence from the Premier to show that the Auditor-General and the other officers are finding it difficult to make ends meet on their present salaries. Do these officers receive basic-wage adjustments? I should like some clarification of this point and I ask the Premier through you, Mr. Taylor, to indicate whether these officers receive automatic cost-of-living adjustments at the beginning of each quarter.

Mr. Nicklin: The Commissioner for Railways, the Public Service Commissioner and the Auditor-General get basic wage adjustments, but the members of the Land Court do not.

Mr. HANLON: I want to develop that point. While looking through past debates I noticed that the Premier, when Leader of the Opposition, raised the question whether some of these officers received cost-of-living adjustments. The Premier has now indicated that three of them do and the others do not. I cannot see any rhyme or reason in that practice. We are discussing a Bill that relates to a group of officers, yet we find that some of them, for some reason which may date back to days gone by, get the cost-of-living adjustment while the others do not. If some of them receive no increases over a period, why should the others receive cost-of-living adjustments, and vice versa? The practice in respect of all persons in the State, whether officers covered by the Bill, members of Parliament or anyone else, should be uniform. Cost-of-living adjustments are not paid under Federal awards, and the practice in other States is the business of those States, but in this State the court adopts the attitude or has until the present time adopted the attitude that increases in the cost of living have to be passed on as soon as possible.

Any officer on a statutory salary, and indeed, any member of Parliament, should participate in cost-of-living increases in the same way as the ordinary wage-earner. If that is not done, those concerned claim big increases and say, "We have not had any increase for four years. The basic-wage earner has had an increase of over 35s. over the last four years. We have had nothing, and therefore we are entitled to £12 a week." That weird argument is put forward very strongly in these cases. There is no reason why the adjustment should not be common to every person in the State, whether he is an officer on a statutory salary, a member of Parliament, a basic-wage earner, or a tradesman receiving a certain margin. If there are to be basic-wage adjustments everyone should receive them, and when the time comes for marginal adjustments—whether for

these officers, boilermakers, or anyone else—everyone should be put on the same basis. If that was done, no-one could say, "Others have had so much over the last few years from cost-of-living adjustments while we have had nothing; therefore, we are entitled to a lump sum representing the marginal increase and the cost-of-living increase." If that policy was followed generally the position would be clearer for these officers, and for members of Parliament, too. Since the salaries of these officers were adjusted there has been no significant increase in the general cost of living of people in their position. When we examine the increases that are being given they are in the proportion of £14 to 30s. or 35s., or whatever the cost-of-living increase has been.

For the reasons I have advanced, I submit that we are not entitled to accept this Bill until some adequate explanation has been given by the Premier for its introduction.

Mr. HOUSTON (Bulimba) (3.12 p.m.): I support the opposition to the Bill on grounds similar to those advanced by previous Opposition speakers. Firstly, I oppose it as a protest against the wage and salary structure of this State and, for that matter, the Commonwealth of Australia. I oppose its introduction also because of the Government's failure to carry out their promises during the last two election campaigns to appoint a Public Service Board, or Commission, and also a Railways Commission. The Government should have a full belief in what they preach in their policy speeches, and long before this they should have brought before this Chamber a Bill to set up those two commissions.

The CHAIRMAN: Order! I cannot allow the hon. member to develop that theme. It has no relationship to the Bill. I ask him to concentrate on the question of these salaries, or resume his seat.

Mr. HOUSTON: I shall adopt my usual course and agree with you, Mr. Taylor, because, as I have said before, I always take notice of your rulings. I will not carry that part of my argument further today, but will save it for another occasion.

I do not say that there is no need for consideration of these classifications. When we consider whether these people are due for the increases being granted under this Bill, we have not to consider them as people who should go to the Industrial Court. It is obvious that, in the first instance, when their classifications were brought before Parliament it was decided that there were certain reasons why the Industrial Court should not be asked to consider their salaries and that the Government should have that responsibility. I agree with that principle. However, when we are considering their salaries, certain factors must be borne in mind and these are some of them—

(1) What is the value of the position to the State?

(2) What is its relative importance to other positions in the State Service?

(3) Is the officer receiving enough to allow him to live at a standard commensurate with his position?

(4) Is the salary of such value that the best men possible would be attracted to take the position if it became vacant?

I want it to be clearly understood that any thing I say is in no way intended as a reflection on those who occupy the positions under review. I believe they are doing the best they can in the circumstances of their employment.

However, if we look closely at the figures given by the Premier we will find a discrepancy between them and those set out in the 1958 legislation and I should like him to explain the great difference when he replies. He gave no reason for the variation.

Mr. Nicklin: In 1958 several of those officers received no increase at all.

Mr. HOUSTON: I will ask one of my colleagues to turn up the "Hansard" for me but, on my figures, in 1958 the salaries were increased to the following:—

	Per annum £
Public Service Commissioner ..	3,912
Commissioner for Railways ..	4,612
President of the Land Court ..	3,912
Land Court Members	3,387
Auditor-General	3,887

Their present salaries are—

	Per annum £
Public Service Commissioner ..	3,995
Commissioner for Railways ..	4,695
President of the Land Court ..	4,250
Land Court Members	3,750
Auditor-General	3,970

There is a great difference between those sets of figures. I can understand it with the Public Service Commissioner, the Auditor-General and perhaps the Commissioner for Railways, where the variation is only £83 but I cannot see why the Premier gave the figure for the President of the Land Court at £4,250 whereas it was £3,912. If my figures are correct—and I have checked them—the increase to the President of the Land Court is not £750 as he suggested but £1,088. That makes a great difference. I do not think it is in line with what the Premier had to say. That is why we wanted the debate to be on a broader plane. The salaries of the members of the Land Court have been increased by an amount far greater than that suggested by the Premier.

Mr. Nicklin: I quoted only their present salaries and the proposed salaries.

Mr. HOUSTON: In reply to a question by the hon. member for Baroona, the Premier said that the Land Court salaries had not been increased since the 1958 determination by the Parliament. How, then, did they alter?

Mr. Nicklin: I do not remember saying that.

Mr. HOUSTON: How would they alter? They could be altered only by legislation, and there has been no legislation on them since 1958. So the Premier's figures are absolutely wrong and I suggest that he check them.

The hon. member for Baroona has turned up the "Hansard" for me. The reference is Volume 220 at page 1788. The Premier, in introducing the Statutory Salaries and Allowances Bill in 1958 said—

> "In the case of the other officers covered by the Bill, the increase in salary provided is also £237 per annum, made up, as in the case of the Public Service Commissioner, by the £200 plus the £37 cost-of-living adjustment.
>
> "The new rates of these salaries will be—

	Per annum £
Land Court—	
President	3,912
Other two members . .	3,387"

So it is clear that the figures the Premier gave to us are not correct. That is why I believe it is very wise to extend the debate on some occasions to allow these things to be brought to light.

Mr. Nicklin: The Land Court salaries were increased last year in the amendment to the Lands Act.

Mr. HOUSTON: I accept the Premier's statement. I said that I did not doubt his sincerity when he gave those figures. But it is true that if these things are not brought to light by the Opposition, confusion is caused in the minds of the people.

Mr. Nicklin: I only quoted present salaries and new salaries.

Mr. HOUSTON: The salaries of the five people mentioned by the Premier were not constant from the time they were last increased, because we had two points of fixation of salary increases.

The Premier indicated that the increases were based to some extent on the value of the services of top public servants. The relative worth of these gentlemen must be based not on the work of the next man down the line—in other words, the top public servant other than these gentlemen—but on the work of the average employee. It should be based on the humblest worker as well as the highest worker, and to get that basis we must consider the incomes of workers throughout the State. Looking at it in a practical way, each one of us is dependent on somebody else for his work. The job the Premier does for the State, no matter how hard he tries, is governed to some extent by the ability of his Ministers, and they, in turn, depend upon those below them, and this applies in every walk in life. The value of the services of the members of the Land Court, the Public Service Commissioner and the Commissioner for Railways is based on the work of every man under their control. I believe, therefore, that these increases are based on an entirely wrong formula. The State basic wage is now £717 12s. per annum, and it could be said that the unskilled, but still very necessary, worker would receive an income of less than £750 a year. Semi-skilled workers, such as process workers and others of that type, would receive up to £900 a year. It is considered by many people that tradesmen are actually the backbone of the nation—I say that without casting any reflection on anyone else—because unless we can build we cannot carry on other necessary activities, and tradesmen would receive approximately £1,000 a year. Even the most highly paid of our trade classifications, the foremen, would receive little more than £1,250 per annum. The basic wage must be taken to be the income required to exist. Every £1 a man receives above this basic wage can be used to improve his standard of living, and I agree that those who work hard and give their time and energy to improving their knowledge and applying it are entitled to something extra.

The CHAIRMAN: Order! How does the hon. member relate this to the Bill?

Mr. HOUSTON: I am trying to show that the basis of this increase is wrong. The Premier said that the increase should be based on the salary of the top public servant next in line. I am not discussing who fixed that salary, but I say that is the wrong basis. We are fixing it on only one salary instead of basing it on all salaries. These people are outside the court. Their duties and work and associations are entirely different from those of ordinary public servants. We must fix the increase on an entirely different basis. I am not prepared to accept that judgment made by other authorities outside Parliament. Without discussing whether it is right or wrong in any important phase I say that we should not be influenced by any outside bodies. Let us determine the wages and salaries of those responsible to us on our own grounds, without being governed and influenced by any outside bodies. If we agree to the Bill we are permitting ourselves to be governed by them.

Let us have a look at the various incomes. Let us have a look at what income is required to live and then consider the extra amount they should receive. Somewhere along the line someone has to take a stand in the economy. Why not here? If it is found that top men are receiving only a certain amount it might have the effect of

stopping the spiral, and we may get back to sanity. As it is, every time there is a move somewhere it is followed all along the line. Perhaps it should be the Federal Government's job, but as the debate has been restricted I will not touch on that subject. For that reason I have had to cast many of my notes aside. We cannot allow the position to get to the stage where it is completely ridiculous, and year after year Parliament is asked to approve of increases.

Another point we must consider is how much of the £700 is going into the pocket of the person to whom we give it, and how much is going straight back to the Federal Government in taxation? That is an important factor. What is the good of giving a man £700 if in fact he is going to get only £50 out of it and £650 will go straight back to the Federal Treasurer?

The CHAIRMAN: Order! I cannot see how this is relevant to the Bill.

Mr. HOUSTON: Oh, yes! Excuse me for objecting, but it does have relevance. After all, we are asked to determine the amount, and I am saying that we have to look at these things. The Premier has not convinced me that the figure of £700 is the right one. He said—and I accept it—that he has related it directly to a particular value and a particular percentage increase. That was shown very clearly by the £730 for one, £705 to another, and £750 to another.

Mr. Hiley: The taxation argument you raised is an argument in favour of a greater amount.

Mr. HOUSTON: Not necessarily. There are two ways of looking at it. The amount of work comes into it. If we had an abundance of money in Queensland I would be inclined to agree with the Treasurer. But there is a great shortage of money at the present time. Again, I do not want to upset you, Mr. Taylor, by talking about the needs of education and irrigation. But for every shilling we spend, if it can do only a little bit of good in one direction, and a lot of good in another, let us spend it in the latter direction. The last thing I want to do is to reflect on any of these gentlemen personally, but I ask how much better will the £700 allow them to live? I venture to say that it would not make any difference in their way of life. Maybe they will have a few bob extra to invest, but that is a different matter altogether. On their personal living comfort they can spend only so much. As long as he lives within his income, and lives like ordinary people live, any man who receives over £4,000 is not too badly off. Instead of giving £700 to these people who will get only a fraction of good out of it, let us use the money to provide better irrigation facilities, better schools, better public works and all the other things that are so necessary. I do not think we would be imposing any hardship on these officers. Apparently it has already been proved that it is relatively sound to have the Commissioner for Railways receiving more than his Minister. According to the Minister, it is also all right to pay station masters less than clerks. What is wrong, therefore, with paying these public servants less than undersecretaries when money is so tight and short. Let us all have a good look at this before we finally cast our votes on it.

It has been said that we must pay big money to get the best men for the various jobs. There is danger in that, too. Over the years we have seen some of our greatest painters, architects, musicians and the like die paupers; in many instances our greatest men have worked for the love of the job they were doing. Many of our scientists are not highly paid and are not even interested in the financial return they receive for their labours. I believe that there are many good and capable men who work not so much for the extra few pounds they might get but for the pride and joy they derive from their work, as long as they are paid enough to allow them to live comfortably.

The present-day position has become iniquitous. While we have this uneven wage structure, with vast difference between those at the top and those at the bottom, dissatisfaction will remain and I believe that the Government must take some action. If necessary, let us throw the matter open for debate and endeavour to keep the wage structure within proper bounds so that every man will get a living wage and, at the same time, additional remuneration for extra time and service.

Mr. SHERRINGTON (Salisbury) (3.32 p.m.): In introducing this Bill, the Premier intimated that it was the result of salary increases throughout the Public Service; that it was necessary because the officers covered by it were not subject to the Public Service Award and their salaries could be brought into line only by Act of Parliament.

He went to great lengths to explain that previous Public Service adjustments had been decisions of the Industrial Court and implied that they were not at any stage the result of negotiations between the Public Service and the Government. On reflection it is interesting to see the Crown attitude in relation to those court decisions as they apply to manual workers within the Public Service. On the one hand, on awards applying to rank-and-file workers the Government were entirely neutral in their attitude in the Industrial Court. There only interest was to supply information on the number of Crown employees affected and the costs involved in the application, and to give a brief historical review of the wage movements in the award concerned, particularly the awards in which increases had been granted in 1954. However, when it came to the salaries for other employees the Crown was

not concerned about how much an increase would cost the people of this State. That is why we must, to some extent, assume that the court's decision was influenced by Government policy.

The CHAIRMAN: Order! Is the hon. member referring to the court's decision in connection with the officers referred to in this Bill?

Mr. SHERRINGTON: Yes: I am relating my remarks to the Bill, because it is the result of a chain reaction to the Public Service increases. But for the general trend in the Public Service and increases granted to public servants, there would be no need for the Bill. I think the matters I am raising relate to the Bill. We know the Premier was most adamant in his statement that increases for public servants were an industrial matter. We know, and he knows, that Industrial Court judgments have not at all times been compatible with industrial peace. That was evidenced in the case of the A.M.I.E.U.——

The CHAIRMAN: Order! I do not want the hon. member to depart from the subject of public servants.

Mr. SHERRINGTON: I agree with you Mr. Taylor, but in view of your ruling it is very difficult to present a case. In a way, we are being gagged.

The CHAIRMAN: Order! The hon. member will not say that the Chairman is gagging him. That is grossly disorderly, and I ask the hon. member to withdraw his statement.

Mr. Mann: He did not mean that.

The CHAIRMAN: Order!

Mr. SHERRINGTON: I withdraw my remark entirely.

The CHAIRMAN: The hon. member knows that permission has not been given to any hon. member to deal with matters that do not relate to the Bill. I ask him to confine his remarks to the Public Service.

Mr. SHERRINGTON: I withdraw my remark. I was speaking figuratively; I did not wish to imply that you, Mr. Taylor, were applying the gag.

The Government have made no case for an increase in the statutory salaries. The only reason given for the introduction of the Bill is the increase in salaries of other Government employees. They have not shown that the personnel affected by the Bill are suffering any undue hardship in their station of life, in comparison with the living conditions of workers in industry. The Government have not attempted to prove that these officers are suffering greater hardship than workers on ordinary wages. These officers eat the same food and wear the same clothes as the ordinary worker.

I repeat that the only excuse for the introduction of the Bill is the increase in salaries of other Government officers. The Government should have given serious consideration to the consequences before they set off a chain reaction by increasing salaries generally. They intervened in the Federal Arbitration Court in the basic-wage application and expressed concern at the effect any increase would have on Queensland's economy, but apparently they are not concerned about the cost to the people of Queensland of increases in the salaries of public servants. These matters are related. The Government have said they are very worried about the state of the economy, but surely, if we want industrial peace and happy, contented people, any increases granted should apply on the same margin from the lowest wage-earner to the top public servant. That is the cause of the unrest. The Government should not adopt the attitude of appeasing one section and ignoring another. They should ensure peace in industry throughout the State by giving workers in every phase of employment their fair and just entitlement. That is why I feel we should stress our opposition to this measure. We are not saying, of course, that we think public servants should be kept on low wages.

I refer to the Premier's attack on me, as a new member in this Chamber, when I mentioned this matter in a previous debate. He chose to attack me and said that I wanted the Public Service——

The CHAIRMAN: Order! The hon. member must not refer to a debate that has been concluded.

Mr. SHERRINGTON: We are definitelv not opposed to good wages, but we are opposed to the injustices that occur through varying decisions by different tribunals, and through Government action. I have said previously that we must make conditions attractive if we are to get the best possible brains in Government departments. I agree entirely that Mr. Fraser, the Public Service Commissioner, who is affected by this Bill, is one of our best Public Service employees and I should not like to see him on low wages. But I oppose the Bill because it creates anomalies that may prevent wage justice being given to all the people of the State.

Hon. G. F. R. NICKLIN (Landsborough—Premier) (3.41 p.m.), in reply: When the hon. member for Baroona was speaking a short while ago he said rather naively, "What is the purpose of this Bill?" I suggest that no other member of this Chamber has a better knowledge of the purpose of the Bill than the hon. member himself. The purpose of the Bill is solely to increase the salaries of a very few top public servants of this State.

Mr. Hanlon: On what grounds?

Mr. NICKLIN: Because they are entitled to it; that is why. Does the hon. member suggest that, because the Opposition are using

this Bill to put up a sham political fight, we should deny to a number of top public servants in this State very justifiable increases in their salaries? Do not let us forget that this is the only method by which these public servants can have their salaries increased. Other members of the Public Service have the right to apply to the Industrial Court to have their salaries and conditions of employment altered, but these public servants have not. The only opportunity they have of getting their salaries adjusted is by an Act of Parliament. Hon. members opposite by their avowed opposition to this Bill are wanting to deny to these very able and leading public servants of Queensland their just rights. It is nothing but political hypocrisy.

Opposition Members interjected.

The CHAIRMAN: Order!

Mr. NICKLIN: I say it is political hypocrisy.

Opposition Members interjected.

The CHAIRMAN: Order!

Mr. NICKLIN: At the same time as they say they are going to deny these men their rightful salaries, they say they are good workers and are the best public servants we have —and we say they could not be better—and yet by their actions here today they want to deny them justice.

Mr. Hanlon: When you send your representative into the court, do you say the workers are no good?

The CHAIRMAN: Order! I must point out to the hon. members for Baroona and Salisbury that the Premier did not interrupt them when they were speaking, and I expect them not to interrupt him.

Mr. HANLON: I rise to a point of order. I have no objection to remaining quiet during the Premier's speech, but I remind you, Mr. Taylor, that he described the Opposition as political hypocrites. If that does not justify our making some comment in reply, I think you are adopting a much different attitude from the one you adopt on other occasions.

The CHAIRMAN: Order! I remind the hon. gentleman that, under the Standing Orders, interruption is not permitted. The actions of the hon. members for Baroona and Salisbury are continued interruptions.

Mr. NICKLIN: I think I am perfectly justified in accusing the Opposition of political hypocrisy. They say they are going to vote against the Bill and thus deny these top public servants their justifiable increases in salary, yet in the next breath say these men are good public servants—the best we have—and that they have nothing against them. Isn't that political hypocrisy? Of course it is! Why are they putting up this political sham fight on the Bill?

Mr. Mann: Because of your attitude to the workers in general.

Mr. NICKLIN: No. It is because the Trades and Labour Council has cracked the whip.

Mr. Hanlon: There has been a good bit of whip-cracking here today and it has not been by the Trades and Labour Council. It has been on the Chairman.

The CHAIRMAN: Order! The remark of the hon. member for Baroona that there has been whip-cracking on the Chairman today is offensive and I ask him to withdraw it and apologise to the Chair.

Mr. Hanlon: Mr. Taylor, I am quite happy to withdraw my remark that there was whip-cracking on you, but if there was whip-cracking by the Trades and Labour Council, there was whip-cracking on you, Sir, and I won't withdraw that.

The CHAIRMAN: Order! I ask the hon. member not only to withdraw but also to apologise to the Chair for his offensive remark.

Mr. Hanlon: I apologise to you, Sir, and I ask you, if we are going to be——

The CHAIRMAN: Order! That is all there is now. I remind the hon. member that if he continues to interrupt I shall have to deal with him under Standing Order 123A.

Mr. Hanlon: We will be heard whether you do or not; you can be sure of that. We are in Opposition; we are not just puppets.

Mr. NICKLIN: As I said, they are putting up this sham fight because they have been whipped into line. We have heard here today the great political shibboleth that has been used time and time again by representatives of the Trades and Labour Council. In fact, if I had closed my eyes while listening to the hon. member for Kedron I could have imagined it was somebody giving an address to the stop-work meeting that they held out at the Exhibition Ground. He used exactly the same arguments as were used by those people out there.

I am going to prove my point that the Opposition has been whipped into line, because the chief argument used by quite a number of speakers opposite has been that this is the only opportunity they have to discuss this matter. We had an Address-in-reply debate in which the matter could have been discussed and we had the Budget debate in which it could have been discussed. Furthermore, we had two Appropriation Bills, on which it could have been discussed, and last night the hon. member for Kedron spoke on the second Appropriation Bill. What an opportunity he had to discuss this matter! But did he mention it? No, he did not. Hon members opposite have used this dubious opportunity in the debate on a Bill on which, in your generosity, Mr. Taylor, you have allowed them to introduce a great deal of extraneous matter to put up this sham fight

The Leader of the Opposition asked why did we not apply the same methods to all sections of the State Service, whether they be public servants or employees in the various trades working under the Crown. Many other speakers mentioned that, too. Might I say in reply that the attitude of the Government has been entirely consistent, whether they have been in court in a case court in a case affecting public servants or whether they have been in court in a case affecting employees in the various trades in various Crown departments. If hon. members read the report of the Public Service Commissioner, they will find that the matter is very fully dealt with on page 26. Last night we had a song and dance by some hon. members who claimed that the reports were not in their hands soon enough. What is the good of putting them in their hands? They do not even read them when they get them. The answer to the suggestion that there is differentiation by the Crown in regard to public servants and Crown employees is very fully dealt with on page 26 of the Public Service Commissioner's report.

Mr. Hanlon: Be careful or you will be ruled out of order. You are not allowed to quote that. The hon. member for Brisbane was pulled up when he wanted to quote from the Public Service Commissioner's report.

Mr. NICKLIN: I am not quoting from the Public Service Commissioner's report. I am asking hon. members to read page 26, and I am perfectly entitled to reply to a point raised by the Leader of the Opposition on that matter. I would be quite in order, I think, in reading and having recorded in "Hansard" this section of the Public Service Commissioner's report to which I am referring.

Mr. Melloy: You cannot quote from that.

Mr. Hanlon: We moved dissent from the Chairman's ruling on the very same point, and you upheld it.

The CHAIRMAN: Order! I should like to point out that I allowed certain references to the Public Service Commisioner's report. The Premier is perfectly entitled to reply to those references.

Mr. NICKLIN: I am not going to embarrass you, Mr. Taylor, although, as you said, I would be perfectly entitled to quote from it because I am replying to a statement made by the Leader of the Opposition. I merely ask hon. members opposite to read page 26 of the Public Service Commissioner's report. They will find there the answers to the questions they have raised about alleged differentiation in appearances before the Industrial Court.

The Leader of the Opposition and other Opposition speakers spent a good deal of time in saying that they were not criticising the Public Service. I suggest that 95 per cent. of the statements made here today were criticisms of the Public Service. They will be condemned by their own words if they attempt to deny it.

I must give the hon. member for Brisbane credit. He is always direct in his approach to things. He did not beat about the bush and criticise the Public Service in one breath and say in the next breath, "I am going to apologise." He said plainly that he was going to lop the heads of the tall poppies.

Mr. Mann: That is right.

Mr. NICKLIN: The hon. member does not make any bones about it. He knows why he is going to vote against this Bill. He wants to lop the heads of the tall poppies, and so do other hon. members opposite.

The Leader of the Opposition had all hon. members on this side of the Chamber with their handkerchiefs out when he was describing the terrible plight of the tradesmen in the community as compared with members of the Public Service. He said that public servants go to parties, and so on, and tradesmen have to go to the technical college, and what a terrible state of affairs this was. Let us have a look at this realistically. When an apprentice reaches the age of 21, he has completed his training as a tradesman and he receives a salary of £986 16s. What is the salary of a public service clerk at age 20-21? It is £888. The statement made by the Leader of the Opposition that public service clerks were so much better off than tradesmen is not correct. The tradesman is better off. I suggest that the Leader of the Opposition's comment really meant that he thinks Public Service clerks are paid too much. That is the only construction that one can place on it.

As I said, the whole of this debate has been a perfect example of political hypocrisy on the part of members of the Opposition. They took this opportunity, at the behest of their masters the Trades and Labour Council, to come in here and stage——

Mr. Hanlon: If you want to say that about us, I will say that about the Chairman.

The CHAIRMAN: Order! I warn the hon. member for the last time that his interruptions are disorderly. If I hear from him again, he will be asked to leave the Chamber.

Mr. Hanlon: Mr. Taylor——

The CHAIRMAN: Order!

Mr. NICKLIN: Let the Opposition be just in their actions on this amending legislation. Apparently they would deny certain members of the Public Service justifiable increases in their salaries. That is the effect of their action. All the ballyhoo they have been talking today does not matter two hoots. The purpose of the Bill is to bring the salaries of these officers into line with everybody else in the service. Without the introduction of the Bill they would not get any increase.

Question—That the motion (Mr. Nicklin) be agreed to—put; and the Committee divided—

AYES, 32

Mr. Armstrong	,, Madsen
,, Campbell	,, Munro
,, Chalk	,, Nicklin
Dr. Delamothe	Dr. Noble
Mr. Evans	Mr. Pilbeam
,, Ewan	,, Pizzey
,, Gaven	,, Rae
,, Harrison	,, Ramsden
,, Hart	,, Richter
,, Herbert	,, Smith
,, Hewitt	,, Sullivan
,, Hiley	,, Tooth
,, Hodges	,, Wharton
,, Hooper	*Tellers:*
,, Jones	Mr. Windsor
,, Knox	,, Hughes
,, Low	

NOES, 21

Mr. Baxter	Mr. Hanlon
,, Bromley	,, Houston
,, Burrows	,, Lloyd
,, Byrne	,, Mann
,, Davies	,, Marsden
,, Davis	,, Melloy
,, Dean	,, Sherrington
,, Donald	
,, Dufficy	*Tellers:*
,, Duggan	Mr. Inch
,, Graham	,, Thackeray
,, Gunn	

PAIRS

Mr. Lonergan	Mr. Wallace
,, Morris	,, Tucker
,, Roberts	,, Newton
,, Gilmore	,, Bennett

Resolved in the affirmative.

Resolution reported.

FIRST READING

Bill presented and, on motion of Mr. Nicklin, read a first time.

AUCTIONEERS, REAL ESTATE AGENTS, DEBT COLLECTORS AND MOTOR DEALERS ACTS AMENDMENT BILL.

SECOND READING

Hon. A. W. MUNRO (Toowong—Minister for Justice) (4.51 p.m.): I move—

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

In conformity with the usual practice, I gave a reasonably full explanation of the Bill at the introductory stage. I pointed out that the broad objects of it were to remove a number of anomalies existing in the present Acts, to provide a means for the gradual raising over the years of the standards of agency services and to provide a greater measure of protection for the public.

At that stage we had a rather interesting discussion, based mainly on those three objectives and with various expressions of opinion as to how those objectives could be most effectively achieved. I am very happy to note that speeches from both sides of the Committee indicated a general acceptance of the need for the Bill and a general approval of its basic principles. Some hon. members suggested that in some particular respects we should go further in the provisions designed to protect the public interest. I might say that some of the points raised were outside the scope of the Bill, although they were of some interest, and with reference to those it is perhaps appropriate for me to point out that this is not a Bill designed to solve all the problems which might arise in various circumstances in connection with contracts for the sale of land. This is a Bill which, from its very nature, is designed primarily to deal with the control and licensing of certain types of agents, and such provisions as there are in the Bill dealing with contracts of sale of land are merely supplementary and incidental to the main purpose. I think from the course of the discussion that there is general agreement that the protection of the public is the paramount consideration.

The hon. member for Port Curtis made some interesting observations with reference to trust accounts, but they did not particularly relate to the terms of the Bill and I think were more appropriate generally to the principles of the Trust Accounts Acts. For instance, he dealt with the question whether a trust account should be in a bank other than the bank in which the agent had his general account. It was quite an interesting observation, but I should not regard it as indicating any necessary alteration in the law because, although I realise, as he pointed out, that errors may occur, errors also could quite easily occur if the trust account was at a different bank. The type of case we are concerned with is not the case where there may be some inadvertent error, but the type of case—and fortunately it is very rare—where an agent might be tempted to put trust moneys in an incorrect account.

The hon. member for Carnarvon made some very interesting observations as to the types of cases and circumstances in which a breach of the provisions of the Act might or might not be covered by the terms of the bond. Again, that is a matter—although it is of fundamental importance—not dealt with specifically in the legislation. The Bill gives power to make regulations, and the issue of bonds by the State Government Insurance Office is a matter that is dealt with in terms of the regulations. Very largely it is a matter of administrative arrangement.

It must be realised that it is really not practicable, under legislation of this kind, to protect all persons who may take part in business transactions of this nature. Obviously, the protection of the bond can apply only to transactions entered into with persons who are licensed agents. Under the terms of this Bill there is no way that we can give full protection to persons who may have an unhappy experience with other business people who, from the nature of their business, are outside the terms of this legislation.

However, I have had some discussions with the Treasurer and with the Registrar of

Commission Agents and, as a result, I feel that in the future when the new law and the new regulations are in operation there will be a much more satisfactory set-up in relation to these matters than there has been in the past.

I agree with the general tenor of the comments by the hon. member for Redcliffe, who said, as near as I can recollect, that the great majority of real estate agents are men of integrity and high business reputation. I say that particularly of those people who are actively associated with the work of the Real Estate Institute of Queensland. Those men are sincere in their efforts to raise the ethical standards of real estate agents in this State.

One of the most interesting subjects discussed was the desirability of having some educational standard or qualification for those who carry on business as real estate agents. That matter is also covered to some extent by the terms of the Bill in that we have provided the legal framework for the machinery to set up those educational requirements. We are particularly anxious not to be too hasty in this matter because we do not want to create a close preserve for existing agents. We have therefore provided the machinery whereby the necessary measure of reform may be introduced over a term of years. In the early stages we will require some satisfactory evidence of experience, or fitness, to carry on business as a real estate agent, and we contemplate that, at some later stage, we will be in a position to set up more specific tests of education qualifications for persons who are to engage in this vocation.

Finally I wish to mention that since the introduction and printing of this Bill a fortnight ago today, it has been found that it is desirable to revise and clarify the meaning of Clause 33. That clause deals with the consequences of non-compliance with the requirements of the Act in relation to representations as to the availability of finance. The clarification of the provision involves three separate amendments to Clause 33, each being complementary to the other. They have been circulated and I propose to move them in Committee.

Mr. DUGGAN (Toowoomba West—Leader of the Opposition) (4.16 p.m.): I will not delay the House as there is general agreement that the Bill is designed to improve the position as it affects auctioneers and real estate agents. Whilst the Bill may have some deficiencies and while it may not be as embracing as it should be, it appears to be a step forward. In the introductory stage we outlined our general views on it, which the Minister has been good enough to acknowledge in his reply. There are some further observations we should like to make but they can be appropriately made in the Committee stage and we will reserve them till then.

Motion (Mr. Munro) agreed to.

COMMITTEE

(The Chairman of Committees, Mr. Taylor, Clayfield, in the chair)

Clauses 1 to 9, both inclusive, as read, agreed to.

Clause 10—Amendments of s. 7; Application for auctioneer's license—

Mr. DUGGAN (Toowoomba West—Leader of the Opposition) (4.17 p.m.): I am merely seizing the opportunity on this clause to indicate to the Minister that earlier I said we would reserve further comment till the Committee stage. I assumed that the Committee stage would be set down for Tuesday next. We have no serious objections to the provisions of the Bill but we simply wanted to seek clarification on some matters. I had intended to prepare some notes on points we wanted amplified. We have no serious quarrel, but I mention it only because a few moments ago I said I should like to take advantage of the Committee stage.

Hon. A. W. MUNRO (Toowong—Minister for Justice) (4.18 p.m.): I appreciate the point made by the Leader of the Opposition but, from the point of view of the effective administration of the law and the need for giving ample notice to interested parties, it really is necessary to get this measure through with reasonable expedition. The reason, of course, is that the licensing system is based on the calendar year, and it is necessary to have the new regulations and forms prepared so that the new law can be effectively administered as from 1 January next.

Clause 10, as read, agreed to.

Clause 11—New ss. 7A, 7B; Provisional auctioneer's license—

Mr. BENNETT (South Brisbane) (4.19 p.m.): Although the system of providing licences is some improvement on existing practices, it does not meet with the approval of the Real Estate Institute. I am informed by the Chairman of the Institute that its members have been anxious for a very long time to have these improvements made to the Act and that they are extremely disappointed because, while the Bill contains many clauses its provisions will not be nearly as effectual as they appear to be on the surface, and certainly they do not contain the amendments suggested to the Minister by the Real Estate Institute. I do not claim to have any actual knowledge of the Real Estate Institute or of the submissions they have made to the Minister. I am only going on what was told to me by the Chairman of the Institute, who said that the members of the Institute are extremely disappointed. Perhaps the Minister could tell us whether submissions have been put to him by the Institute, and, if so, what they are. If they have made submissions, it would be interesting to know what the Minister and his advisers thought of them and why they have

not implemented them. I make that suggestion because if there is some dissaticfaction and confusion in the minds of members of the Real Estate Institute, it will give the Minister an opportunity of dealing with the contention that they are not satisfied. I think the Minister should welcome the opportunity at this stage of circulating the complaint that has been made to him about the amendments contained in the Bill.

Hon. A. W. MUNRO (Toowong—Minister for Justice) (4.24 p.m.): The hon. member for South Brisbane has not put up a very strong prima-facie case in his remarks about this particular clause. My understanding of what he said is that apparently at some time he has had a conversation with the chairman of the Real Estate Institute of Queensland and, as a result of that conversation, he has come to the conclusion that the Chairman of the Institute is not completely satisfied with the terms of the Bill.

Mr. Bennett: He said he was not.

Mr. MUNRO: That is right. I confirm that the Chairman of the Real Estate Institute of Queensland is not completely satisfied with the terms of the Bill. But the guiding principle of this Government in introducing legislation is not to attempt to say yes to every representation put before them. It is not our policy to attempt to placate every group that asks for certain amendments. On the other hand, it is our policy to give close and careful consideration to every suggestion and representation that is put before us and to give effect to those that we think are desirable and necessary in the public interest. That is precisely what has been done in this case. I would have to speak for at least an hour if I were to attempt to inform the hon. member for South Brisbane of all the points that have been discussed by me with the chairman and other members of the Real Estate Institute of Queensland. Although, as the hon. member for South Brisbane said—I think he is quite right in saying it—the chairman is probably not completely satisfied, I am sure he is satisfied that the Government have been quite reasonable in their consideration of every proposal put before them and that they have been fair to the Real Estate Institute. If members of the Institute are not completely satisfied, I am sure they will agree that, in the main, the provisions we have included in the Bill are sound and in the public interest and that they will give a reasonably fair deal to real estate agents.

By way of amplification of that, I might say that the Real Estate Institute members have a very proper ambition to establish for themselves a higher standing as a professional body in Queensland. I have informed them that I am sympathetic to their ambition, and in my remarks on the introduction of this Bill I mentioned particularly that we had in some respects introduced frameworks on which could be built alterations of the law in the future that might go slightly further along the path that has been generally indicated in the Bill. So far as I can judge, that attitude, and the decisions of the Government on the matter generally, are quite well accepted by the more responsible members of the Real Estate Institute. I am also quite certain that they will be well accepted by the general public in whose interests they are primarily designed.

Clause 11, as read, agreed to.

Clauses 12 to 32, both inclusive, as read, agreed to.

Clause 33—Amendments to s.24AA; Representations, etc., respecting availability of finance—

Hon. A. W. MUNRO (Toowong—Minister for Justice) (4.25 p.m.): I move the following amendment:—

"On page 21, lines 17 to 25, omit the words—

'(b) By inserting after subsection three the following subsection:—

"(3A.) A defect, error or irregularity in the statement in writing given to the purchaser in pursuance of the provisions of this section that is a defect, error or irregularity in form and not in substance and that is not calculated to mislead or otherwise prejudicially affect the purchaser shall not affect the legality of a contract in respect whereof the statement is given." '."

The reason for the amendment is that where a purchaser is prejudiced by a failure to fulfil a representation as to the availability of finance he has the option of voiding the contract. However, it was felt that this option should be limited to cases where he was really prejudiced and not to cases where mere formalities were overlooked, as the fault could lie solely with the agent and the vendor be quite innocent.

The Bill so provided in sub-clause (b) of clause 33, but it is felt that the sub-clause as drafted might be interpreted as providing by inference that where the failure was a matter of substance the contract was illegal irrespective of the wishes of the purchaser. He might be able to get finance elsewhere and want to complete the transaction.

The provision is redrafted so as to ensure that where the failure is a matter of substance the purchaser has the option of voiding the contract or not. The redrafted provision will be inserted by the next amendment to be moved because the proper place for the paragraph is after line 38.

Mr. DEAN (Sandgate) (4.28 p.m.): I should like the Minister to clear up a doubt in my mind. I may have the wrong impression but I think he said the purchaser has the right to recall his transaction. I have always been led to believe that within 10 days the vendor has the right to claim money from the agent. If a buyer of a piece of land pays the agent, the vendor has the

right to claim the money at any moment after it is paid to the agent. If the transaction has not gone through completely, once he gets the money what protection has the purchaser got? I have always been led to believe that the vendor can claim the money within 14 days. I suppose that the word "transaction" is rather ambiguous. When I asked one of my agent friends to give me an explanation of the word he told me that some years ago he asked the Attorney-General of the day for a definition of "transaction" and the Attorney-General told him that he could not give it to him, that he would have to get it from the court. Perhaps the Minister might be able to clear up the doubt in my mind.

Hon. A. W. MUNRO (Toowong—Minister for Justice) (4.30 p.m.): As the hon. member for Sandgate will realise, this amendment impinges upon one of the most difficult questions of law that has arisen in the interpretation of these Acts. I should not like to attempt at this stage to give a full explanation of that law. I feel that the hon. member for Sandgate—judging from his remarks—has not quite correctly interpreted the effect of these provisions and that it would be wiser to let the matter stand at that. I feel that, when the hon. member has an opportunity of seeing this Bill in its amended form with these three amendments inserted, he will himself find the answer to the questions he has raised.

Actually, to understand this fully it is necessary also to give consideration to the third amendment which I intend to propose later, and which is quite complementary to this first one. One amendment really is not completely understandable without considering all three.

Amendment (Mr. Munro) agreed to.

Hon. A. W. MUNRO (Toowong—Minister for Justice) (4.31 p.m.): I move the following further amendment—

> "On page 21, after line 38, insert the following paragraph:—
>
> '(c) By adding to subsection four at the end thereof the words "but a contract shall not be subject to voidance under this subsection by reason only of non-compliance in any respect with any such representation promise or term that is a non-compliance in a matter of form and not of substance and that is not calculated to prejudicially affect the purchaser"; and'."

This amendment is complementary to the previous one and is in terms of the explanation that I have already given.

Mr. BENNETT (South Brisbane) (4.32 p.m.): I have no doubt that the intention of the Minister in moving this amendment is to prevent contracts being avoided by parties to them because of trivial defects in the form of the contracts. However, on the wording of the proposed amendment the Minister's sincere intentions could well be upset by it. In effect, it could lead to much more litigation in the field of contract law as various people—as they do from time to time—seek to avoid their obligations under a contract and begin to argue about whether the non-compliance is one of form or one of substance. No doubt the Minister's advisers have told him that there are many nice arguments in relation to that contention and in that field of law, and that keen legal brains who are instructed to interpret a contract will find a happy hunting ground.

I am submitting that by this proposed amendment, in litigation that certain contracts may be avoided or may not be avoided, there will be a legal history or case law made on the meaning of the words "form" and "substance," and on whether a defect or an error or a correction should be rightly termed to be one of form or one of substance.

Let me take the matter further. The amendment concludes—

> "and that is not calculated to prejudicially affect the purchaser; and"

Calculated by whom? Calculated by the party who is in favour of the contract, or by the person who does not favour the setting-up or the enforcement of the contract? Does it go to the intention of the vendor, or has it an objective meaning? Is it to be calculated by those who are called upon to interpret the contract, in other words, an arbiter, or, if it goes to litigation, a judge? Is he the one who has to make a calculation, or in effect is it a plain, objective test? As it is in written and printed form, does some person in an impersonal way decide whether the error is calculated to "prejudicially affect the purchaser"? That again can lead to a great deal of litigation.

I know that clauses similar to this have been inserted in similar statutes in English-speaking countries, and I know that similar clauses to this have been expressly inserted in contracts between parties. I know also that very often they have been a fruitful source of litigation, as frequently it is very difficult to determine what is calculated or what is the meaning or intention that lies behind an expression used in a contract or a clause that is inserted in an Act. The intention having been decided, a great deal of controversy can arise as to whether or not the intention, or the error expressed in the intention, will prejudicially affect the purchaser. And bear in mind that we are dealing only with contracts that have begun to fall asunder because of a dispute between the vendor and the purchaser. If there is no dispute, the vendor and the purchaser would be prepared to tie up any errors or overlook any defects in the contract, by way of personal agreement to enforce the contract, but when we are dealing by way of statute with disputes or anticipated disputes in the contractual world we are anticipating disputes in which the vendor and the purchaser cannot agree, disputes that must inevitably be submitted to an arbiter or court of law, and the purchaser,

if he wants to upset the contract, will argue that it will prejudicially affect him and his interests and his well-being under the contract; and the vendor, on the other hand, if he wishes to enforce the contract, will argue that it will not.

I think the Minister would agree that in effect he is inserting a clause with the sincere intention of avoiding disputes, but in many instances it will lead to doubt, uncertainty and confusion, and will bring about litigation rather than avoid it. He may have given some thought to the matter and may still persist with the amendment, but, if in fact he has not given close and serious consideration to it, I urge him, before it is passed, to give further serious thought to it, because it obviously and inevitably must lead to more litigation.

Mr. HART (Mt. Gravatt) (4.39 p.m.): The matters covered by Clause 33 were inserted in the Act by the former Labour Government to overcome an evil in the community, namely, representations by agents that finance would be available to the purchaser, finance which the purchaser later found was not available, and the purchaser then willy-nilly being forced to go ahead with the contract or forfeit his deposit.

To answer the question raised a moment ago by the hon. member for Sandgate, I say that in most cases the deposit simply belongs to the agent, and it could not be demanded by the vendor, as it would be the amount the agent would get.

My next point is that difficulties arose under these provisions, and they were inserted in the interests of purchasers, as to whether when no statements were given at all the contract was good or bad. Most lawyers at the Bar thought the contract was still good, and that was the intention when it was originally put through. There was no intention on the part of the Government of the day to destroy the contract, or to say that there was no contract at all, or render it illegal. Nevertheless, some lawyers thought the contract was illegal, and these three sections clear the matter up and say the contracts are still to be valid contracts, which was the original intention.

Dealing with the remarks of the hon. member for South Brisbane, the big question that will arise is whether, without the insertion of these words, the judges will still apply the law as set out in them. Whether or not they are there I think the judges would probably apply the law as set out in the amendment; they would not set it aside for a mere informality. The question raised by the hon. member for South Brisbane was whether these words are to be interpreted objectively—

> "That is, a non-compliance in a matter of form and not of substance and that is not calculated to prejudicially affect the purchaser."

There is not much doubt that they would be construed objectively, that is to say, the judge or the jury would give its own opinion on the matter. There is nothing we can enact in a Bill that will prevent litigation.

If anything, subsection (c), which we are now discussing, will lead to less litigation. If it is not in the legislation, the question will be raised as to whether or not it should be there. By putting it there we are at least removing one cause of doubt.

Hon. A. W. MUNRO (Toowong—Minister for Justice) (4.42 p.m.): I wish to reply briefly and say firstly that I appreciate the spirit in which the hon. member for South Brisbane has brought forward this rather difficult question of law. I very greatly appreciate the help of my colleague, the hon. member for Mt. Gravatt and his very lucid explanation of the position. By way of general comment, the fact that we have heard these two short speeches on this comparatively small clause, indicates that in relation to any section of a law there is an opening for an eminent lawyer to discover different interpretations. That is so under the terms of the present Act, and I daresay it will be so under the terms of the Act as amended.

I assure the hon. member for South Brisbane that this clause has been given very careful consideration by very competent legal authorities. As he has pointed out, this particular wording which, on the face of it, is somewhat complex can be given different interpretations, and may be the subject of litigation. I remind him by way of comparison of those delightfully simple words in Section 92 of the Commonwealth Constitution, "shall be absolutely free." It has taken more than half a century, with the combined efforts of the various Supreme Courts, the High Court, and the Privy Council, to come to a final conclusion as to the meaning of those four delightfully simple words. The moral is that although we exercise the greatest possible care in the drafting of our statutes, we can never be completely certain that they will not be the subject of litigation.

Amendment (Mr. Munro) agreed to.

Hon. A. W. MUNRO (Toowong—Minister for Justice) (4.45 p.m.): I move the following further amendment—

> "On page 21, line 39, after the word 'ten', add the words—
>
> 'and by inserting in their stead the following subsection—
>
> (9) Save as prescribed by subsection four of this section, this section applies so as not to render illegal or void any contract, or to empower any party to void the contract.' "

This amendment is complementary to the preceding two but I shall explain it. Section 24AA of the Principal Act as orginally enacted required an auctioneer or commission agent acting in the sale of land to furnish the purchaser with a statement in writing

setting out certain matters, the essential matter being whether or not any representation, promise or term had been made or offered as to the availability of finance.

Very stringent penalties were provided for failure to give the statement as prescribed—a fine of £400 or imprisonment for 12 months in the case of an individual, and a fine of £2,000 in the case of a corporation.

Where a representation, promise or term had been made or offered, failure to carry out the terms thereof, gave the purchaser an option to void the contract.

It was never the intention to give the purchaser a right of voidance for the failure to furnish the statement, as this was a duty laid on the agent and not on the vendor, who could be quite innocent in the matter. The right of voidance is limited to cases where a representation as to the availability of finance is made, and not fulfilled, to the prejudice of the purchaser who wishes to be relieved of the contract.

I believe this to be the legal effect of the section but opinions to the contrary are held and therefore, to put the matter beyond doubt, the subclause set out in this amendment is to be included in the Bill.

Amendment (Mr. Munro) agreed to.

Clause 33, as amended, agreed to.

Clauses 34 to 53, both inclusive, as read, agreed to.

Bill reported, with amendments.

The House adjourned at 4.52 p.m.