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1901-07-03

House of Representatives.

Mr. Speaker

took the chair at 2.30 p.m., and read prayers.

QUESTIONS

PATENT DESIGN AND TRADE MARKS BILL

Sir LANGDON BONYTHON

- I desire to ask the Minister for Trade and Customs, without notice, when the proposed Patent Design and Trade Marks Bill is likely to be introduced 1 I ask this question because I am informed, on good authority, that the revenue of the State Patent Offices is falling off, business both in the States and abroad being held back in the expectation of the early introduction of the measure, which, as applying to the whole Commonwealth, will, it is believed, materially reduce the present charges.

Minister for Trade and Customs

Mr KINGSTON

- It is not expected that it will be possible for the Government to introduce the Bill before next session, though the matter has been considered, and a rough draught of the measure' has been prepared by a conference of officers.

THE NEW HEBRIDES

Mr SALMON

- In the Age this morning there appears a paragraph which has been telegraphed from Sydney, and relates to the position of affairs in the New Hebrides. There is a great feeling of unrest among the people of the Commonwealth in regard to this matter, who desire that our shores shall be kept safe from the danger which would undoubtedly menace them if these islands became the property of the French Republic. I ask the Prime Minister if he has anything to say which would tend to reassure them?

Mr Reid

- I had an opportunity to look at our standing orders last evening, and, although I have not finished going through them, I cannot find that they make any provision for the asking of questions without notice. I would, therefore, like to have your ruling, Mr. Speaker, upon this practice. It is a matter for consideration whether this practice should be created.

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Mr SPEAKER

- There is no direct provision in our standing orders for the asking of questions without notice, but, as there is no prohibition of the practice, if a question is asked without notice and the Minister to whom it is addressed chooses to answer it, I do not think that I should object.

Minister for External Affairs

Mr BARTON

- I understand that in some of the State legislatures the practice has been to obtain the permission of the Chair before putting a question without notice. I think that the proper rule for a Government to lay down on this subject, and an effective rule for all Governments, is that it will answer questions without notice only when they concern some matter so urgent that 'the Minister feels justified in giving information upon it immediately. As to the letter to which the honorable member for Laanecoorie has drawn my attention, I would say that it is a very difficult thing for me to deal with, because the writer of it has chosen to communicate its contents to the press before it has reached my hands, which I consider a grave discourtesy. I think honorable members "will support me in the statement that it is not an advisable thing that those who correspond with Ministers should make public what they have written, before the Ministers have had an opportunity to read and consider their letters. That, however, is the position with regard to this letter, which has not yet been delivered, unless it has come by to-day's express. It is a warning letter, relating to the New Hebrides, which has been published in the Sydney newspapers under the heading "French Designs," and a paragraph relating to it appears in this morning's Age. In reply to the question which the honorable member has asked in regard to it, I think it is fair to make this answer : The matter has received my earnest and continuous consideration, and I have been for some time engaged in correspondence and telegraphic communication, through the Governor-General, with the Secretary of

State for the Colonies in connexion with it. The nature of those communications it would be very unwise to disclose, because its disclosure would probably frustrate the object in view, which is - not to unduly suspect the French Government upon any ex parte statement whatsoever of a design to engross and possess the New Hebrides, but to invoke the consideration of the Imperial Government towards a fair method of dealing with disputes arising in those islands. The agreement of 1888 provides for a joint commission, consisting of the captain and two officers of the English and the French men-of-war visiting the islands, to deal with such disputes ; but, as honorable members know, the most proline source of disputes in all times and in all countries has been the ownership of land, and the agreement to which I refer makes no provision for the settling of such disputes, but, on the contrary, prohibits the commission from dealing with them. Upon this and other matters relating to the New Hebrides the Government has been in correspondence with the Imperial Government, and I think that all I need say to my honorable friend to reassure him is that the matter is under the kindly and favorable consideration of that Government. More than that, in the face of confidential communications, I am not at liberty to say.

Mr ISAACS

- May I ask the Prime Minister if he will take into consideration the advisability of coming to an understanding with the Imperial Government to the effect that, before any determination is arrived at by it with regard to the future of the Pacific, Australia will be consulted ? '

Mr BARTON

I have already addressed a communication to the British Government exactly on those lines.

Mr SPEAKER

- Referring to the point of order which was raised just now, I wish to call attention to Standing Orders 94 and 95, which read as follows : -

In putting any such question no argument or opinion shall be offered nor any facts stated, except so far as may be necessary to explain such question.

In answering any such question a member shall not debate the matter to which the same refers.

Those standing orders will apply to questions asked without notice, by permission of the House, as well as to questions of which notice has been given.

RESIGNATION OF THE CLERK

Mr SPEAKER

- I have to inform the House that this morning I received the following letter from the Clerk

Parliament House,

Sir, Melbourne, 2nd July, 1901

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I do myself the honour to inform you that for reasons of a personal nature I desire to resume my office of Clerk of the Parliaments of Victoria at the earliest opportunity, and for that purpose I beg to request that I may be relieved of the duties of my office of Clerk of the House of Representatives on Saturday next, the 6th July instant.

In tendering my resignation of the high office which the Prime Minister of Australia conferred upon me, and which I regard as one of the most honorable and distinguished positions I can hope to fill in my life, I desire to say that I shall ever look back with feelings of the deepest pride and pleasure on my connexion with this honorable House.

With greatest respect to you, Mr. Speaker, and to all honorable members, I beg to subscribe myself,

Your most faithful servant, GEORGE H. JENKINS,

Clerk of the House of Representatives.

I am sure that Mr. Jenkins takes with him to the State Parliament the best wishes of all the members of this House.

Minister for External Affairs

Mr BARTON

. - Perhaps honorable members will allow me to pursue a course which is not usual, but which is justified by the circumstances of the case. Mr. Jenkins has given his services to the Commonwealth in the arduous and difficult work of initiating our proceedings entirely without remuneration, and I consider that he has placed the Commonwealth under an obligation to him. I therefore move, with the concurrence of honorable members, without notice -

That the thanks of this House be tendered to Mr.Gr. . H. Jenkins, C.M.G., for his able and gratuitous services to the Commonwealth in respect of the inauguration of Parliament.

Question resolved in the affirmative.

PUBLIC SERVICE BILL

In committee (consideration resumed from 2nd July, vide page 1895):

Postponed clause 44 -

Subject to the provisions of this Act every probationer before the confirmation of his appointment and every officer shall effect with some life assurance company or society registered and carrying on business in the Commonwealth an assurance on his life providing for the following benefits, namely : -

The payment of a sum of money on his death if it occurs before he attains the age of sixty years ;

The payment to him of an annuity until death if he survives the age of sixty years ;

The payment to him, if he retires from or ceases to be a member of the public service before attaining the age of sixty years, of a sum of money equal to the whole amount of premiums paid by him to the company or society unless he elects to continue paying the premiums on his policy ; and

For the increasing from time to time of the amount assured as may be prescribed.

Mr CROUCH

- I understand from the Attorney-General that an amendment is to be moved in this clause to limit the assurance provided for to approved assurance companies.

Mr Deakin

- I believe that the object desired is to be obtained in another way.

Mr CROUCH

- Then I move-

That, after the word "society," line 4, the words "approved by the Governor-General in Council " be inserted.

The CHAIRMAN

- The honorable member cannot move that amendment, because the committee has already decided that all the words of the clause, down to the word " namely," shall stand as they are.

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Mr SALMON

- Seeing that the desire of some members that the State should take up the matter of life assurance was not carried last night in committee, I wish to give a few reasons why I object to the clause as a whole. Failing the Government taking up the matter, I believe the provision will be found to be utterly inadequate, and will result, in connexion with clause 45, at any rate, in a break-down. It is necessary some provision should be made for those who are engaged in the service of the State. Various expedients have been tried in the past in order that those who give their lives to the service of the State should not be placed in a condition of distress after they leave that service. The first and most ready expedient seems to be to adopt the system of pensions ; but that is like drawing on futurity. To those who are in authority this expedient made itself more tasteful than any other proceeding, because they were not asked to make themselves personally responsible. But there has been so much abuse that it has been found necessary to devise other means. Various other measures have been adopted at various times having the same object in view, namely, some provision for the old age of those who have been engaged in the service of the State. In Victoria it is somewhat instructive to watch the course of events. Pensions were in vogue up to the year 1881, when it was found that the pension list was increasing at such an alarming rate that it was necessary, in the interest of the taxpayers, that something should be done in order to stop the drain on the resources of the country. A life assurance principle was then adopted. We had members of the public service who entered after 1881 compelled to assure their lives, and under the regulations they were compelled to assure for an amount double that of the maximum salary which they were to receive in the class or grade in which they were servants. Supposing a member of the public service entered a certain department, the maximum salary in his class of which was £100 a year, that man would be compelled to assure his life for a sum of not less than £200. In course of time he would become promoted, and receive a higher salary, or enter a class which carried a higher salary. He would then be compelled to effect a further assurance on his life equal to double the amount of salary he then was receiving. This system was found to work badly, for several reasons, but especially for one reason. A man

could not help his age accumulating, and his ability to take out a policy on good terms diminished year by year. A man of 45 or 50 years of age, who had served for 20 or 25 years, found it almost impossible to effect the necessary assurance on his life, the amount of premium charged being really more than he could bear. This burden was too heavy for the public servants to carry, and seven or eight years ago an alteration was made in the regulations which provided that a member of the service should not be compelled to assure his life for a sum greater than the maximum of the class in which he entered the service. We now have the reverse position presented in "Victoria. We have a large number of members of the public service whose lives have been assured for the paltry sum of £100. These men have complied with the Act and the regulations, but they do not take any further trouble, and in years to come the State of Victoria will undoubtedly find itself compelled to devise some means of relieving the distress that must occur amongst those persons who are at the present time serving the State. I am told that some of these public servants are actually drawing the bonuses on those small policies of £100. They do not allow the bonuses to accumulate, in more than very few instances, but draw them either for their own use or to apply to the payment of the premiums. That is simply futile - it is simply & altering with the question. If the Commonwealth is going to carry out such a system they will not be providing at all for the necessities of those who have served the State. I am aware that clause 45 states that such assurance shall be continued by the assured and not allowed to lapse.

Sir William McMillan

- Does not clause 46 cover that? Public servants cannot draw the bonuses under that clause, can they? Are these policies not kept intact in every respect?

Mr SALMON

- Clause 46 provides that the policy must not be charged in any way either wholly or in part.

Sir William McMillan

- That clause could be altered. *

Mr SALMON

- I take it that that clause means that the bonus will not be attachable by the policy-holder, but that he will be compelled to allow the bonuses to accumulate. I would point out, however, that clause 45 falls into the error into which the Victorian Government fell. It compels the public servant to assure his life from time to time for an amount equal at any rate to the salary which he is receiving, or a portion of the amount, as the clause states. That means that the man who enters the Commonwealth public service to-day and finds he can assure his life for £100, will effect the necessary assurance. But in twenty years time he would be called on by the Government to effect a further assurance in order that clause 45 may be complied with. I would point out the great difficulty there is in effecting these further assurances. The rates are so heavy in many cases, either through ill-health or for other reasons, that men find it absolutely impossible to effect assurance. What is going to happen? The State must step in and assure the public servants. I am sure the Minister will see that if an assurance company ten years hence refuses to take a member of the public service the Government will have to do it - they will have to give the man the benefit which the Government say they are providing under the Bill. Under the circumstances it would be better for the Government to start at the very beginning. I am not, however, going to press this aspect of the question, because I see it is useless for us to expect to engraft on this Bill the principle of Government or State assurance.

Sir William McMillan

- State assurance could not be run on an actuarial basis, if others beside public servants could not be assured.

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Mr SALMON

- As was pointed out over and over again during the debate yesterday, the Government will be compelled to take all the bad cases. The Government will not take bad cases in the first instance, because no man will be admitted to the public service unless in perfect health, as is provided in the Bill. But in connexion with the second assurance, rendered necessary by clause 45, the position of the public servant would be very different. It might be impossible to find a company to assure the man at all, and the Government would be forced to take up the work. I have pointed out why the Victorian system broke down, and also why the present Victorian system is utterly unsatisfactory, because it is inadequate. The present system

does not provide for the servants of the State that amount of money or the security which we desire they should have - the security that they will not be left, after they have departed from the State service, absolutely penniless. My objection to the pension scheme is mainly the terrible tax that it is on the community. The ideal scheme, in my opinion, would be one which would provide means whereby the servants of the State who are desirous of doing so - and they should all be desirous - may put aside, from time to time, small sums of money, which will insure them a certain return when they leave the service ; or, should they die in the service of the State, insure to those dependent on them a certain sum during the time they require it, a widow during her life, and children, until they become of an age to support themselves. That, I think, would be an ideal scheme. It could be carried out without one single penny's cost to the general community. The whole of the money would be contributed by those who are to participate in the benefits. Notwithstanding what the Attorney-General said last night, when I mentioned a superannuation scheme - that it was neither more nor less than a pension - I submit that no word-torturing could possibly- twist such a scheme, as I then suggested, into a State pension scheme as we know it. It would be a pension scheme, but it would be a scheme in which the whole of the money is contributed by those who participate in the distribution.

Mr Deakin

- What I said did not relate to that particular scheme.

Mr SALMON

- Then I misunderstood the Attorney-General. The scheme I would like to see adopted is the scheme I have already alluded to as being in operation in South Australia. I have obtained a couple of copies of the tables which are in use, and the regulations which govern the scheme in that State, together with some information with regard to its operation during the last ten years. There have been two quinquennial reports, the first of which was a very good report, and the second of which is described as being an excellent report. These reports were not made by an officer of a State, but by the actuary of the A.M.P. Society, "Mr. Black, and, the last one, by Mr. . Carment, who, I am informed, is the best actuarial expert in the whole of Australia. This scheme, which is controlled by a board, is limited to the Education department, but a Bill has been prepared in South Australia to extend it to the rest of the public service. In addition, a Royal commission has been inquiring into the question, and has prepared its final report. Although I have seen an advance copy of the report, it has not yet been laid on the table of the South Australian Parliament, and therefore, must be regarded as confidential. But I feel justified in saying that that Royal commission strongly recommends the extension of the superannuation scheme, which is in use and has been in use for the last ten years in the Education department of South Australia, to every branch of the public service in that State. The Royal commission is perfectly satisfied in regard to the solvency and workableness of the scheme !

Mr Watson

- "What is the basis of the scheme ?

Mr SALMON

- The basis is that every entrant into the service shall become a subscriber. The subscriptions are varied, the maximum being £16 per annum ; but a member if he so desires, may pay only a quarter, a half, or three quarters of that amount, his benefits, of course, being exactly in proportion. '

Mr BRUCE SMITH

- What does the public servant get for the £16 a year?

Mr SALMON

- No one is allowed to participate in the benefits until after five years' complete membership. After that time, the member who pays £16 a year, gets £52 a year.

Mr BRUCE SMITH

- And what is paid on death?

Mr SALMON

- The member gets £52 a year on leaving the service. This is a super- ' annuation scheme, and if a member leaves the service after five years' membership, he gets £52 a year for the rest of his natural life.

Sir William McMillan

- Irrespective of the age at which he leaves ?

Mr SALMON

- Irrespective of the age at which he leaves.

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Mr A McLEAN

- His total contributions would be only £80 altogether. How could he get £52 per annum?

Mr SALMON

- The honorable member will agree with me, that it is not usual for a man to leave the public service after only five years' service.

Sir William McMillan

- After twenty years' service how much does the public servant get ?

Mr SALMON

- He may be 38 years in the public service.

Sir WILLIAM McMillan

- And he only gets the same amount 1

Mr SALMON

- No. If he has been 38 years in the service he will get £180 a year.

Mr BRUCE SMITH

- Can he leave of his own accord at the end of five years, and get £52 a year ?

Mr SALMON

- He must be retired, and there is an agreement between the board and the Government that no officer is to be dispensed with whose services are still worth the salary which he is drawing from the State.

Sir William McMillan

- There is no much actuarial basis there.

Mr SALMON

- The honorable member may consider that an actuarial basis like Mesopotamia is a blessed expression, but surely he will take the practical experience of eleven years of the State where this system has been in operation. The honorable member will surely pay some attention to the very careful investigation that was made of this question by a Royal commission, and to the two reports that have been made by two talented members of the profession of actuaries - both actuaries of the Australian Mutual Provident Society - the second gentleman being no less a person than Mr. Garment, who is recognised as the leading expert in the whole of Australia. Neither of these gentlemen point out that there is any defect at all in the basis of calculation. The governing body consists of a board comprising the secretary of the department, one representative of the subscribers, and a member of the public, who is outside of the department altogether. These three gentlemen control the investments. There is a proviso made that if the returns fall below 4 "6 per cent, there shall be a reduction in the benefits. There has been one reduction since the scheme was inaugurated, owing to the decrease in the value of investments in South Australia. The whole thing is under the supervision of the Government, and the whole of the books, papers and securities are examined every year by the

Commissioner of Audit. With regard to the guarantee, I made a mistake when I stated that the Government of South Australia guaranteed £10,000. It was desired that they should guarantee that amount, but they did not do so. I stated that there has been no necessity to call up any of the guarantee ; but the position is even better than I put it, because they have been able to do without a guarantee altogether. All new appointees are compelled to subscribe. It is optional with other members of the public service, but an arrangement was come to, whereby others who were entitled to receive pensions were allowed to come in under the superannuation scheme, and a large number have availed themselves of this provision. The government found the pensions to which they would be entitled, and paid a certain amount into the fund. They did not pay the whole amount in a lump sum, but they put it in in the shape of interest on the amount to which the members of the public service would have been entitled had they remained in the service, and claimed their pensions. There is one point in regard to which I think this superannuation scheme completely out-classes the scheme of life insurance. It is this ; that when a man leaves the public service he begins to draw a certain allowance. He knows what the allowance will be. He is not limited to one policy, but may take out more policies if he so desires. Therefore, it will not be necessary for him to commit suicide in order that his widow and family may obtain the benefits of the money which he would otherwise have been paying into a life insurance society for years. It will not be

necessary for him to dispose of his policy - as is sometimes done - at a very serious loss, thus depriving his widow and children of their means of subsistence in time to come. Should the man die, there will not be a lump sum, say, of £100 left to his widow and children for the rest of their lives, but there will be an amount paid to the widow so long as she remains a widow, and should any of the children be under eighteen years of age when the widow dies, then those children, until they attain that age, would participate.

Sir William McMillan

- It is purely a pension scheme. They never get the principal.

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Mr SALMON

- They can get the principal. There is a provision in the Act by -which a man retiring may draw an amount equal to the surrender value of his policy, just the same as is done in connexion with life insurance societies. But that is a method which I should not care to see adopted.

Sir William McMillan

- Could he not buy a farm? . Mr. SALMON. - I have lived in the country all my life, and would strongly recommend any member of the public service, when he is past work in the service, to refrain from buying a farm. The expense of management of such a scheme as I am suggesting is extremely small, in fact it is almost nothing. The expense of management of life insurance business is nothing to the societies ; but it is the societies who get the benefit and not the State.

Mr BRUCE SMITH

- What about mutual societies, where the policy-holders participate in all the profits '(

Mr SALMON

- The custom in Victoria is - as I have already stated - for the policy-holders to draw the bonuses as they accrue and use them for various purposes, and thereby the object which Parliament had in view is defeated.

Mr McCOLL

- The bonuses are not usually drawn.

Mr SALMON

- I have just come from an interview with an accountant of one of the- largest departments of the State where this system is adopted, and I can assure honorable 'members that that gentleman told me that the system very largely obtains. In fact he gave me to understand that in most cases the bonuses were drawn.

Mr MCCOLL

- They are not drawn in the Australian Mutual Provident Society.

Mr SALMON

- The- Australian Mutual Provident Society does not do all the business in connexion with life assurance. I was pointing out the cost of management. The insurance societies, I repeat, get the benefit of the State officials in Victoria, at an)' rate, by merely using the officers of the State for the purpose of collecting their premiums. In the Railway department the custom is to collect the whole of the premiums and send them to the insurance society in a lump sum. In other departments I am told that when a premium falls in arrear it is the custom of the society to drop a note to the Public Service Board, which immediately' notifies the accountant of the department, and the money is at once paid and deducted from the next month's salary of the officer concerned. It is a very" simple matter to the insurance society, and saves them a great deal of money. But this benefit could easily accrue to the State. We should find that we should not have to do a bit more work, and the results would be satisfactory.

Sir William McMillan

- Supposing that an officer voluntarily retires at any period, does he get all the accrued interest ?

Mr SALMON

- I am sorry I have not all the papers in connexion with the scheme.

Sir William McMillan

- If a man has an ordinary policy, and he retires from the service, his rights under that policy are not mixed up necessarily with the Government ? ' Mr. SALMON. - If a member of the public service retires he takes his policy with him, and continues paying until the time comes for himself or his family, or his

administrators, to draw the amount for which his life was insured. But this is provided, I think, in South Australia only in the case of those officers who serve their time, so to speak, with the Government, who give the whole of their -lives to the work of the State. It is these whom we desire to assist. But should any officer be incapacitated, say even within six years, he certainly would be entitled to draw the allowance I have already indicated - namely, not less than £52 per annum. I presume that officers who left the State service of their own accord would come under the section of the Act which provides that any subscriber may draw the surrender value of his policy. That is to say, he would be able to withdraw about two-thirds of the amount he has paid in premiums.

Mr Mahon

- What company allows two-thirds ?

Mr SALMON

- This scheme provides that two-thirds of the amount paid in premiums shall be repaid.

Mr V L SOLOMON

- That* scheme has not yet been adopted.

Mr SALMON

- This scheme has been in operation in South Australia for eleven years.

Mr V L SOLOMON

- They have to make a levy whenever a man dies upon all the rest of the service.

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Mr SALMON

- The honorable member is misinformed. I have gone through the whole thing carefully this morning with an] officer who has had practical personal experience of the matter. The funds now amount to something between £40,000 and £50,000.

Mr V L SOLOMON

- I thought the honorable member was alluding to the civil service mutual society.

Mr SALMON

- I am talking of the Education department fund which was instituted eleven years ago in South Australia, and which has been a marked success. I would like to see a similar scheme adopted by the Commonwealth. Without detaining the House any longer, I wish to express the hope that even if it is found impracticable at the present juncture to engraft this system on the Public Service Bill, Ministers will give some attention to it. The Government of Victoria will this week consider in Cabinet whether the system should be adopted with regard to the State public service. J have had opportunities of discussing this matter with experts, who speak most highly of the system that has been adopted in South Australia ; and I feel sure that the desire which we all have is not so much in reference to what companies the public servants of the Commonwealth shall have their lives insured in, but is rather to secure to .them, after they leave the service, means whereby they can live without becoming a charge upon the State. We have seen too often in the past men who have loyally served the State - men who have regularly drawn the salaries to which they were entitled, but who through extra demands upon their resources, through circumstances over which they had absolutely no control, through sickness, through death, through responsibilities which they themselves had no .hand in incurring - who have been compelled, after leaving the service of the State, to seek charity. We do not desire to see that under the Commonwealth. It was never intended under clause 44 to shift the responsibility from the shoulders of the employer on to the less strong shoulders of the employe. The sole object was to insure that in years to come we should not see a repetition of the scandalous exhibitions which we have unfortunately had in the past in this young country, and that we should by every means in our power not only secure to a man who gives loyal and leal service to the State during the best years of his life something which will assist him to some comfort in his old age, but should also make some provision for his wife and children. This is not charity, or anything of that sort, but it is something which will provide a fund into which a man may pay small, sums by way of contribution which will insure him relief and assistance in his old age, and give that help to those who are dependent upon him which, unfortunately, they too often require.

Minister for Home Affairs

Sir WILLIAM LYNE

- I do not think that upon the explanation the honorable member has given the committee can adopt the

suggestion that has just been made, because it is altogether different to a proposal for life assurance. It may work well in South Australia, and may, as the honorable member says, have worked well for eleven years, but I should certainly want to make some further investigation before I would be prepared to say anything in its favour. What I particularly rose to say was, that a suggestion has been made to me by the honorable member for Tasmania, Mr. Piesse, which I am rather inclined to think is a good one. He has suggested that the clause should be amended to read as follows : -

Subject to the provisions of this Act, every probationer, before the confirmation of his appointment, and every officer shall effect with some life insurance company, registered and carrying on business in the Commonwealth, or otherwise as may be prescribed, an assurance on his life, providing for such benefits as may be prescribed, and for increasing from time to time the amount insured.

That would be the whole of the clause, and we should leave out paragraphs (a), (>), and (a).

Mr BRUCE SMITH

- The Government would require to approve of the policy in that case.

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Sir WILLIAM LYNE

-Yes. Regulations would have to be framed, and it may be necessary to introduce some slight amendment in clause 71, to provide for the case. There is doubtless some difficulty" in connexion with paragraph (c) in reference to the point that was raised at the time of the previous debate. I have a communication from the actuary or the manager of the Australian Widows' Fund, in which he says - The provision under section (c), is that which requires most consideration, as it renders a life assurance society liable under certain conditions for a, payment in excess of the amount held in reserve against its liability under a policy. From one point of view, it stipulates- for a larger surrender value than a life assurance society would be able to pay ; but, on the other hand, it may be regarded as an additional benefit, which could be provided for by charging a somewhat higher premium.

Mr BRUCE SMITH

- That means higher premiums.

Sir WILLIAM LYNE

- This is what it comes to. I do not think we wish that, if we can avoid it. I have also a similar communication from another company, as far as this paragraph (c) is concerned, and it seems to me, therefore, in view of the debate that has taken place, that it would be better to allow this matter to be thoroughly considered. I admit, as I have said before, that as far as the amendment that was proposed last night is concerned, it will be many years before any great number of the public servants will be affected.

Mr BRUCE SMITH

- About 1,500.

Sir WILLIAM LYNE

- The number was stated at about 1,500, but if Ave take the result of the working of the New Zealand system they have only had 290 policies issued under the compulsory clauses in the course of six years.

Mr Mahon

- That must be a mistake.

Mr BRUCE SMITH

- Is the honorable gentleman sure it is compulsory 1

Sir WILLIAM LYNE

- Yes, I looked up the matter last night.

Mr Reid

- It must be compulsory only as regards a very few officers.

Sir WILLIAM LYNE

- This would only affect the new servants as they come over from the States, and therefore it will be a long time before the operations become very large, under the suggestion that is made by the honorable member for Tasmania, Mr. Piesse. The scheme could be very much better carried out after a conference with actuaries, and ascertaining exactly what has been done in South Australia. We could also get further information from other sources on the whole subject, and then by means of regulation decide as to what course Ave had better take. . I think that this ought to meet the views of those members who are so much

opposed to ordinary life assurance, because, as I said last night, the Government are not opposed to the State taking the matter in hand, and this will give a further opportunity to the Government to consider it. If it did not look too serious a matter, the Government could undertake what is outlined in the new clause in the first instance, and they could arrange for a general life assurance system in the future.

Mr BRUCE SMITH

- The amendment proposed does not limit assurance to approved societies.

Sir WILLIAM LYNE

- No ; but I think that should be done. An attempt was made to propose an amendment in that direction, but the clause had got beyond the point where such an amendment could come in. If, however, the committee will agree to the suggestion to amend the clause in the way I now propose, I will see that the other amendment is made in its proper place. Just a word or two in reference to clause 49. I think honorable members are somewhat mistaken with regard to that clause, because it has been referred to many times as a clause under which the Government would have to provide for what has been called the derelicts. Honorable members, however, will find that this is a very small matter, and that a very small proportion of the officers would come under that clause.

Mr Mahon

- But the principle is the same.

Sir WILLIAM LYNE

- I will just tell the honorable member what the principle means. It means that certain sums would be paid by those who could not be assured except with a loading of five years, and the State would undertake to pay that money back again within certain periods, with interest added. All that the State would lose would be the cost of dealing with and looking after that money. It would not amount to any great sum, and, therefore, I say that it is a very small matter indeed. In dealing with this clause, I obtained the information that, in order to make it pay the State, after the payment of five premiums, Ave could return only $2\frac{1}{2}$ times the premiums. That is, Ave should be at a loss of $2\frac{1}{2}$ times the premium, in five years ; in ten years Ave would be at a loss of six-tenths; in twenty years at a loss of three-fourths, and in twenty-five years, four-fifths.

Mr BRUCE SMITH

- I do not see the application.

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Sir WILLIAM LYNE

- That is we obtain from the individual a certain amount of money, and guarantee that the whole of that money is to be paid back, and we should lose the difference between that amount and the amount that Ave could afford to give to make it pay the Commonwealth, as an insurance office would make it pay. I admit that it is a very small matter, and I do not think it is one that any stress should be laid upon.

Mr BRUCE SMITH

- A man at 25 years if loaded might have to pay the rate for a man of 30.

Sir WILLIAM LYNE

- Yes, but I am not including the loading at all. Now we have had two nights' discussion on this particular question, and I think that those members who last night voted in favour of the State dealing with this matter should extend their support to the present proposal, because it will give the Government time to prescribe what shall be the course of action taken, and will give an opportunity for the consideration of all the Arguments used, and such information as can be obtained from actuaries and other sources.

Mr F E McLEAN

- I am inclined to support the Minister for Home Affairs in the amendment proposed, but it appears to me that in conferring upon the Government the power to provide for a system of assurance, and in prescribing the nature and the amount of the policies, the public servants must be to some extent protected, by limiting the proportion of their salaries that they will be compelled to pay in premiums.

Mr Deakin

- That would be done under this proposal. If the honorable member looks at clause 71, paragraph (m), he will see that regulations may be made prescribing the lowest amount for which the lives of officers shall be assured, having regard to their annual salary.

Mr F E McLEAN

- I only want to make certain of it. I think our experience has been that officers as a rule do not care to be burdened with the payment of premiums exceeding at any rate more than about 5 per cent, of their annual salaries, and I question whether all the benefits- that are contemplated' by the provisions as they appeared in the original Bill could be secured for 5 per cent. However, provided that we have the assurance of the Attorney-General and the Secretary for Home Affairs that the public servants will be protected- against being called upon to pay an excessive portion of their salaries as premiums, I would be inclined to support the new clause that has been suggested. I prefer a system of compulsory life assurance to any system of superannuation such as that outlined by the honorable member for Laanecoorie, Mr. Salmon. It seems to me that all the States have found it impracticable to carry out their superannuation schemes.

Mr Salmon

- It is just the reverse in South Australia.

Mr F E McLEAN

- But that refers to only one department.

Mr Salmon

- But it is to be extended to the whole service.

Mr F E McLEAN

- I understand that the honorable member for Laanecoorie quoted the results achieved in one department, and saw that, owing to the success achieved there, it was proposed to extend it to the whole service.

Mr Salmon

- - -Yes ; on the report of a Royal commission which inquired exhaustively into the whole system.

Mr F E McLEAN

- I am bound to say that I do not see any special reasons why State servants should be required to adopt any other method of providing for their old age, or for the support of those depending on them after death, than that followed by other citizens of the Commonwealth, I think the Government has a perfect right, and is within its legitimate functions, in seeing that a reasonable provision is made against old age or death, and, so long as we insure that the provision made is the same as other good citizens are making for themselves, I think we are doing all that we are required to do.

Mr MAHON

- We do not compel private citizens to insure.

Mr F E McLEAN

- But most of them insure of their own accord.

Mr Mahon

- And so might some of the public servants.

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Mr F E McLEAN

- That is quite possible, but the Commonwealth is quite within its rights in requiring that all public servants shall do what the best and most prudent of our citizens do, thus preventing them from hereafter becoming claimants for Government assistance. But I am not prepared to go beyond a system of compulsory life assurance. I prefer that to any system of superannuation, and if we receive a guarantee from the Attorney-General and the Minister in charge of the Bill that the public servants shall not be required to submit to excessive taxation in the way of premiums, I am inclined to vote for the amendment outlined by the Minister for Home Affairs. .Mr. HUME COOK (Bourke).- Some of us are not quite clear as to the terms of the amendment which the Minister proposes to accept, and as to its exact meaning. As I understand the proposal of the honorable member for Tasmania, Mr. Piesse, it is to omit paragraphs (a), (b), and («), and to substitute for them a provision which will have the effect of . allowing the Government to take up the business of insuring its public servants, or, if it chose to prescribe certain assurance companies with which the public servants shall assure.

Mr BRUCE SMITH

- And certain forms of policy.

Mr HUME COOK

- Yes.

Mr Deakin

- Under the amendment the Government might even adopt a superannuation scheme.

Mr HUME COOK

- I am inclined to support that amendment, but I would suggest that the Government, at the same time, should accept the proposal which has been put forward by both the honorable member for Coolgardie and the honorable member for Bland, that only purely Australian and mutual assurance societies shall be prescribed.

Sir William Lyne

- That is what the amendment means, and if after it has been carried it is seen not to have that meaning, I shall have the clause recommitted.

Mr E SOLOMON

- I wish to know what the position of the public servant who has mortgaged his policy previously to entering the service of the Commonwealth will be. Is there any provision for assisting him to pay the extra premium? Under the Bill he would have to take out a second policy.

Sir WILLIAM LYNE

- There is nothing in the Bill which would allow the Government to advance money to an officer who had mortgaged his policy before entering the Commonwealth service.

Mr E SOLOMON

- But such a man would have two premiums to pay, and only a certain amount of salary to pay them with.

Sir WILLIAM LYNE

- The Government could not advance money to an officer to enable him to pay off the mortgage, nor could it increase his salary to enable him to do so. An officer entering the service would have to satisfy the Government that he was able to comply with the requirements of the measure in regard to assurance.

Mr CRUICKSHANK

- During the whole course of my public life, I have advocated that public officials should be paid salaries which would enable them to insure their lives and to make provision for their old age. Persons in private employ do not get larger salaries than public officials, and they are required to do this, because private employers cannot afford to pension their servants when they become unfitted for their duties. But although I am opposed to the giving of pensions, I shall support the proposed system of insurance, though I hope that a Bill will be introduced in which the whole question will be dealt with on sound and broad lines, and which will allow private individuals as well as the employees of the Commonwealth to participate in the benefits of a Government insurance system.

Mr MAUGER

- I am sure that honorable members who are anxious that an opportunity should be afforded to try the experiment outlined in the proposal of the honorable member for Bourke last evening will support the amendment, and that they will also support the suggestion that only purely Australian and mutual societies shall be prescribed. A very large amount of money is now sent out of the Commonwealth to pay for life insurances, and in my opinion we should keep as much money here as we can.

Mr MAHON

- It is always a great pleasure for any one who sits on this side of the Chamber to be able to congratulate the Government, and I think that we are entitled to congratulate them upon having seen a virtue in the numbers that ranged themselves on these benches last evening. I think that the Minister has shown a wise discretion. I had intended to propose the addition to the clause of the following words -

But such company or society shall be one of which the head office is within the Commonwealth, and shall be conducted wholly on the mutual principle, and shall when required so to do permit the Minister to authorize an independent valuation of its assets.

Sir William LYNE

- I have given instructions this morning for the preparation of a Bill dealing with all the companies.

Mr MAHON

- In that case I shall not move an amendment. But I would like to ask the Minister what provision he proposes to make for persons who leave the public service or who are dismissed, and are compelled to surrender their policies.

Mr Reid

- Such persons should be allowed to go on paying their premiums.

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Mr MAHON

- But they may not be able to do so. At the present time, if a man who is insured surrenders his policy, he will not get back more than 30 per cent, or 40 per cent, of what he has paid in premiums ; the actual amount depending upon the liberality of the company and the length of time during which he has been insured. According to the Australian Banking and Insurance Record the total liabilities, under the head of life endowment and annuity funds, of the twelve Australian insurance companies last year was £30,100,000 odd, and of that amount nearly £500,000 represented surrendered policies. I do not know whether the £500,000 was the face value of the surrendered policies or the amount which the companies repaid to those who surrendered ; but the figures indicate that in these times a large number of people find themselves obliged to surrender their policies, and that being so, I think we should make provision for the return of a larger proportion of the premiums where a policy has to be surrendered than is returned now.

Sir William Lyne

- I think that could be provided for only by loading the premiums in the first instance:

Mr WATSON

- I wish to know if the Minister for Home Affairs is prepared to accept the suggestion that the companies approved of shall be purely mutual.

An Honorable Member. - He said so.

Mr WATSON

- I do not think that we are justified in prescribing other than mutual offices, because we know that the operations of such offices are carried on solely with a view to the protection and benefit of their members, whereas, when a company is being managed to obtain profits for shareholders, there is a temptation to an over valuation of assets, and unsafe dealing, which does not exist where mutual societies are concerned. I would point out that in prescribing certain companies the Government will practically guarantee the payment of the amounts insured in the event of the failure of those companies, and it will be impossible for them without a very complete Act to make a thorough investigation of the Affairs of the various societies so as to ascertain which of them are solvent and which are not. A number of these institutions have only recently ' come into existence, and are in a comparatively easy position because of their new business, but how long they will continue in that position it is difficult to foresee. I trust that the committee will insist that only mutual societies shall be prescribed. Unless that is done I shall feel inclined to vote against the set of clauses providing for insurance, and allow the public servants to make provision for their futures as best they may. * In any case they will have nothing to thank us for, if we require them to pay the premiums out of their salaries, and unless we can give them absolute security I do not think we are justified in asking them to make these payments. I would ask the Minister for Home Affairs whether he cannot see his way to consent on behalf of the Government to a limitation of approved societies to those which are conducted on the mutual principle ? Otherwise I shall feel inclined to vote against the whole set of clauses.

Sir WILLIAM LYNE

- I think the effect would be as the honorable member states, though it is really not stated in the Bill, that if the Government approve of a company as one in which officers can insure, the Government will be bound to ' stand behind the officer. That would make the Government very cautious as to the insurance companies of which they approve. I am quite agreeable to the provision that the offices approved should be Australian offices, and I should feel inclined to agree with the proposal that they should be mutual offices. I should like, however, this latter point to remain over until the clause is recommitted. I do not know what companies there are, but if a proprietary company were very strong, and there were no danger, I really do not see any reason why such a company should be excluded. I feel inclined, however, to agree to the proposal that the companies should be mutual companies, but I shall be able to say definitely when the clause is dealt with on recommitment.

Mr REID

- Does the Minister for Home Affairs say that he is in favour of the Government approving of mutual societies only ?

Sir William Lyne

- No. I said I felt that unless a company that was not absolutely a mutual company, was a very strong company, I should feel inclined to agree that it should be excluded. But I desire to refrain from giving an absolutely definite reply until the clause is recommitted.

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Mr REID

- I quite agree with the honorable member who spoke before the Minister, that if we are going into any of these distinctions at all, the suggestion is a very good one. There is no doubt that the effect of being in a mutual society, if it be a sound society, is to assure to the person assured all the money which he is entitled to - all the benefits and all the money. No doubt these assurance companies have to frame a scale of charges which provide for a margin of safety. In a mutual society, as we all know, the individual assured is given the benefit of that margin afterwards, in bonuses. It seems, therefore, a suggestion, worthy of consideration. The proposals which the Government have seemed to accept, namely, that we should assure only in Australian societies, suggests to me the fact that it is our own fault that these large British and American companies are not Australian societies. If our legislation were as it should be, we should attach to their operations in Australia conditions which would make them Australian societies. In other words, we would require a proper deposit of their funds in Australia, and we would have the right to inspect their books, which conditions would also be extended- to other Australian societies. I do not like to use the word " foreign " in respect of British societies for instance, because I suppose that would be obnoxious even to a Victorian protectionist, and I will speak of them as " outside " societies. But I should like to say that we are all delighted with the result of the division which was taken here last night. We now have discovered how to galvanize the Government into prompt action. "We must just give them a majority of one, leaving them safe, while what we want is achieved. That is I should hope the ideal in the present Parliament. The Government, as the result of what happened last night, evidently spent -no time in sleep, but held a midnight Cabinet meeting, and suddenly agreed on a matter which was very much in doubt until that division. The Minister is prepared now to say that already this morning. - what hour of the morning we do not know - the whole of this gigantic scheme was set going. That is a great encouragement to honorable members opposite, who occasionally come to this side on a division, because they will find they will sometimes do a great deal of good so long as they leave a safe margin, and insist on a majority of one. As in some of the parliamentary meetings we have heard of, it has the effect of a grand declaration of independence without any annoying instability to our political institutions. Mr. Watson/. - The right honorable gentleman is speaking from experience, I suppose.

Sir William Lyne

- He is speaking of the party to which the honorable member' for Bland belongs.

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Mr REID

- I feel we should not intrude too much here on experience in New South Wales. But I hope the Government will as soon as possible take up the matter of the insurance companies in Australia, in the sense of requiring those companies who do business here with head offices elsewhere to safeguard their financial position here in a proper, businesslike way. ' The inspection which we should apply to those societies and the conditions we should apply to them, we would probably be willing to apply to our own societies. I think the books of all these bodies should be open to Government inspection at any moment, and that there should be thorough oversight and thorough inspection in the interests of the public. A great deal of confusion has arisen, and a great deal of time has probably been wasted over this clause, owing to the fact that the true object of the clause does not appear in the position in which it ought to appear. We have been talking about life assurance for a long time, but the object of the clause is not life assurance at all. The object of the clause is to make provision in the shape of an annuity, and I suppose nine-tenths of the observations which have been made are absolutely wide of the clause we are discussing. It is a very proper thing - in fact, it is inevitable - in life assurance that somebody should get some money when the person assured dies. There is nothing novel in that feature of the clause ; but the real object is not found in sub-clause (a) but in sub-clause (&.) We desire that when officers attain an age at which they must retire from the public service, and are suddenly deprived of an income of a regular and stable character, something should be done to give those persons cast adrift from the public service

means of supporting themselves and their families in' decency. That is the object of the provision - the payment of an annuity from the age at which the officer retires until the time when he dies. That object must be constantly kept in view. We do not at all save the public servants or the Government from the evils which we wish to avoid if we assure an officer with the result that when he dies his family are entitled to a certain amount, because he has to live decently after he leaves the service until he dies.

Mr McColl

- It is an endowment assurance

Mr REID

- With an annuity.

Mr McColl

- With an annuity. The principle is that the assured may draw either at 60 years of age or at death.

Mr REID

- I am glad to hear the word " endowment " at last. It is like a flash of sunshine over a dreary waste. I have heard nothing about "endowment" until now, though, I suppose, it may have been mentioned in a former debate. That is really the true object of all these clauses, although it is a word never, I think, used in connexion with these debates, except of course by the honorable member for Echuca. Let us keep clearly in mind the object of these provisions. We know that in some of the States, when public officers arrive at the time when they should retire, they are kept in the service when they cease to be useful rather than that they should be driven into the streets - to beggary. That is the state of things which has compelled some of the States to spend hundreds of thousands of pounds in abortive superannuation schemes. We shall find ourselves put to exactly the same trouble and expense with all these fancy schemes of assurance, unless provision be made for the support of the public officer and his family when he must retire. Take the case of a man who is sent out of the public service without an income, .but with an assurance policy for a certain amount payable at death. I suppose there will be a provision to the effect that the benefit under the policy shall not be liable to mortgage, Otherwise this starving man would naturally have to mortgage the policy which ought to be a provision for his family at his death, in order to keep himself and his family alive, so that when death did come, the policy would be gone. The main object of the provision is clearly to keep the public servant and his family in a state of decency in the interval of old age between his retirement from the service and his death. That object cannot be too clearly kept in view. At the same time, it means a much higher premium, and I must say frankly that, unless -with very young officers, I do not see how any annuity which would be of a reasonable amount and calculated to keep a man and his family in decency, can be secured except with a very large premium. The provision about returning to a man all he has paid in if he ceases to be. a member of the public service - for that is introduced into the scheme as shown in the clause - would be an intolerable wrong to the great body of public servants. Not one in 50 would be in that ' position, but the insurance companies would load that 50 with much higher premiums, because of the risk of the whole 50, or one of them, or a large number of them, ceasing to be members of the service before the proper time and applying for the return with interest of what they had paid in.

Mr Watson

- Mutual companies do that now if the assured has been long enough in the society. The policy has a surrender value after a certain time.

Mr REID

- We are familiar with the principle of surrender value, but I never heard of a surrender like this - paying a man back with interest everything he has . paid in.

Mr PIESSE

- Not with interest.

Sir William McMillan

- If a man pays for it he can get a policy of any kind.

Mr REID

- That is what I am pointing out. It is a mere matter of money. With foreign societies, though not with Australian societies - in that case it is patriotism. . . If that be made a feature of the arrangement the charge will be much higher in order to provide for a casual event, an accidental event which would happen only once in a hundred cases. I feel sure that the Government, even at the risk of spending

another sleepless night, will take this matter into consideration, so that' we shall have a thoroughly sound system. The salaries of public servants are not very high, and we do not want to load them in any injudicious way. I should like to have the benefit of the views of the honorable member for Tasmania, Mr Piesse, who has taken such a deep and useful interest in this matter. Would it not tend to load the payment by the public servant, if the condition be attached that 'when a man leaves the service all he has paid is returned to him with interest - that that may happen to any man who is assured.

Mr. PIESSE

(Tasmania).- I am afraid I shall not be able to follow my right honorable friend in admiration of the little fairy tale he told us in the earlier part of his remarks. It is hardly true that this plan was thought of only this morning, or that the Minister for Home Affairs made up his mind so suddenly.-

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Mr Reid

- I forgot that the honorable member is an honorary member of the Cabinet.

Mr PIESSE

- However, I will turn to the question which the right honorable member for East Sydney has done me the honour to submit to me. I believe he is quite correct in assuming that, in order to secure the benefit of the return of all premiums, those who are the subject of insurance, namely, the public servants, would have to pay more. That is, I believe, understood by every assurance society which has considered the subject. They would have to make an extra charge to all who are the subjects of the provision.

Mr Reid

- Would it not be very hard on the great bulk of the public servants ?

Mr PIESSE

- That could be done either by the Government undertaking to make the payment for the public servants, or by the servants who have the benefit of the provision paying for it themselves.

Sir William McMillan

- If a man starts early it is a small matter.

Mr PIESSE

- Quite so. We know that in some cases that the amount returned equals the premiums paid.

Sir William McMillan

- The assured gets it back in bonuses.

Mr PIESSE

- The honorable and learned member for East Sydney has hardly quite correctly quoted the position. There is no mention of interest.

Mr Reid

- No.

Mr PIESSE

- It is the mere return of the premiums, and, of course, that would make a very great difference. After a considerable number of years the capital may very well be returned, because the interest will have made up for the risk. I hope that this question will be settled in a way that will meet the views of those who advocate State life insurance. At the same time I feel that State life insurance is hardly attainable within the time in which it is necessary that some provision shall be made. There will be civil servants appointed very shortly, and, unless the Government are ready with their scheme, those officers will not be able to have their lives assured immediately they enter the service. If we accept the proposal, with some slight modification, I think that the clause might be made to read as follows : -

Subject to the provisions of this Act, every probationer, before the confirmation of his appointment, and every officer, shall effect an assurance on his life, either with some Australian mutual life assurance company, registered and carrying on business in the Commonwealth, or as may be prescribed.

Thus there would be an alternative presented. The Government can then insist upon an officer who is appointed before they are ready with their scheme, insuring his life with some company which is registered and carrying on business in the Commonwealth. They will thus be able to prescribe the benefits that are to be obtained either from the company in which such an officer is insured or under the scheme which they themselves promulgate.

Mr. McCOLL

(Echuca).- No public officer assures for death only if he is compelled to insure by the Government. All the policies which public officers take out are endowment policies. The question of death does not enter into the matter at all.

Mr Reid

- If a certain amount is payable at 60 years of age that is scarcely satisfactory as an annuity; because we know how money goes very often, and how it leaves the assured just as poor as ever.

Mr McCOLL

- I do not think that the suggestion that public servants should be compelled to assure only in colonial mutual companies is wise at the present time. The Government should not put its imprimatur upon any company until it has made the strictest investigation into the affairs of that company. It might be found upon inquiry that what are termed " foreign companies " are very much better for assurers than are some of the colonial mutual societies.

Mr Watson

- How can we investigate the affairs of foreign companies ?

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Mr McCOLL

- In just the same way as we can investigate the affairs of others, if they are allowed to do business here. But, as a matter of fact, some of what are termed foreign assurance companies doing business in Victoria have to submit yearly to the most searching investigation by a Government actuary that is conducted in regard to any assurance company in the world. In the State of New York there is a superintendent of assurance, who has to value the assets of every company doing business in that State. He has to consider every mortgage, and every penny that is laid out on security of any kind has to be specially valued by him, and he tells us in a public document what is the value of the property on which the money has been lent, and also the amount that has been lent upon that property. That is the system of supervision that we require here. Until we get that system it will be very unwise for the Government to put its imprimatur upon any office, Australian or otherwise. Our first aim should be to secure a strict inquiry into all the offices, in order to ascertain whether we cannot have a system of Commonwealth assurance. I believe that such a system must come. It has been a great success in New Zealand, and it must in time come here. It is perhaps a little premature just now, and the discussion that we have been indulging in has been largely academic and doctrinaire. I wish to point out that there are mutual companies doing business here who are paying over 200 per cent for their new business. They are paying two years' premiums in order to get one policy. Therefore, we ought to be extremely careful in what we do at the present time.

Mr. SALMON

(Laanecoorie). - The suggestion made by the Minister for Home Affairs can be accepted by me, at any rate. I feel that investigation will only show him the manifest advantages of the system which I have endeavoured all too feebly and incoherently to lay before the committee. It is a system which has borne the strictest investigation, and one with which I am very much in favour. I feel sure that after investigation on the part of the Minister, that system will so commend itself to him that we shall soon find him bringing down to the House a Bill which will provide for its initiation in the Commonwealth.

Clause agreed to.

Clause 45 -

Such assurance shall be continued by the assured and not allowed to lapse, and the amount thereof shall be increased by the assured from time to time in proportion as nearly as practicable to his salary as may be prescribed.

Mr. POYNTON

(South Australia). This clause provides that the amount of the assurance may be increased from time to time. In order to protect the employee, who has to take out several different policies, I desire to move - That the following words be added to the clause: - " Such increased assurance may be effected with any approved company without regard to the original policy or policies."

It has been found that where a person who had insured with a certain company when young, afterwards had to go to the same company, he has been loaded much heavier than would have been the case had he been at liberty to assure with some other company. I think that the words which I have proposed will

afford protection to the employees without in any way hampering the working of the Bill.

Mr SALMON

- I would point out that this clause makes it mandatory that the increase shall take place. I have endeavoured to show the committee what the result of that system has been in "Victoria. The result was that the burden which had to be borne by the members of the public service was too heavy for them. As their salaries increased, their ages also increased, and their effectiveness as members of mutual insurance societies had correspondingly decreased. They could not take out policies on anything like the same terms as those upon which their first policies were taken out. I ask the Minister if it is intended to penalize the members of the public service for every promotion which they receive 1 So soon as they are promoted from one class to another they will, under this provision, find that a further demand is made upon them in the way of an assurance premium. Those who are better able to discuss this matter than myself, by reason of their further personal experience, will bear me out that the time will naturally arrive when men will find it impossible to effect assurances on the highest scale at their increased ages. Under the circumstances, we are asking the public servants to do something which they are incapable of doing, and the result will be that which has been so often outlined, viz., that the State will be compelled to take up this matter. I hope that the Minister will allow the clause to be struck out altogether. Under the amendment made in the previous clause he will have full power to deal with this matter, and I think it is better to leave it in his hands until a full and comprehensive scheme is brought down to the House.

Mr A McLEAN

- I think the difficulty can be got over to some extent if the amount of the assurance according to salary were prescribed in the first instance so as to give the person who assured for the first time the option of assuring for the higher amount. Any prudent man, if he could pay the premiums, would adopt the course rather than trust to being able to assure when he was much older.

Mr Deakin

- There would always be an option of that sort.

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Mr A McLEAN

- It appears to be mandatory that he should increase" the amount from time to time, irrespective of what the first amount may be. If an officer assured for an amount proportionate to the larger salary in the first instance, he ought not to be required to increase the amount as he grows older.

Mr McColl

- The rule is that a man must insure for the maximum salary of his class.

Mr A McLEAN

- But he might go into another class. He might assure for maximum of the next class.

Mr ISAACS

- I wish to ask the Minister if it is intended that this life assurance shall apply to the general division as well as to the clerical division ?

Sir William Lyne

- Yes.

Mr ISAACS

- May I direct the honorable gentleman's, attention to one particular point. In clause 44 there is no provision as to the amount of assurance, and, as far as I can see, the provision for prescribing the amount is in clause 71.

Sir William Lyne

- I said just now that if my suggestion with regard to clause 44 is carried out, clause 71 will have to be amended to meet it.

Mr ISAACS

- In what way ?

Sir William Lyne

- Because it does not give sufficient power in the making of regulations.

Mr ISAACS

- But it appears to be confined to the clerical officers, because clause 71 says that the regulations shall, prescribe the lowest amount for which the lives of officers shall, having regard to their annual salary, be

assured. That provision will not cover wages. I think that the Minister ought to be very careful that the words used shall cover the general division as well as the clerical division of the public service.

Mr McCAY

- I wish to point out to the honorable member for South Australia, Mr. Poynton, that his amendment assumes a great many things that have not yet been determined. For example: he uses the words "approved companies." Clause 44 does not suggest that there shall be approved companies, and indeed I think it would be unwise to say that companies should be approved.

Mr Poynton

- We can leave out the word " approved."

Mr McCAY

- But for what the honorable member for South Australia said, I should not have thought that these clauses implied that the increased assurance must be effected in the company in which the original assurance was effected. I think that the clause carries no such implication, and that the danger which he apprehends is purely an imaginary one. There is no fear of the Government falling into the error of compelling a man to increase his assurance in the same company when everybody knows that by doing so the assured might be placed in a very unfair position.

Mr Poynton

- It cannot do any harm.

Mr McCAY

- As it is drawn the amendment might do a great deal of harm. I might take exception to other words . in the proposed amendment, but I do not wish to do so. There is no use in providing for protection against danger in a clause where danger does not exist.

Sir WILLIAM LYNE

- I would ask the honorable member to withdraw the amendment, because under the clause as it will be framed when recommitted there will be power to give effect to exactly what he wishes ; and as far as I am concerned I will take care that that is done. It would be very unfair to compel a man to go to the company in which he originally assured in order to increase the amount of his life assurance policy, because the company might try to load him beyond the extent to which he should be loaded, and he might be able to go to another assurance company and get his policy increased at an easier rate.

Mr Reid

- Supposing he could get the additional assurance at a cheaper rate from an equally sound company that does not happen to be an Australian company '

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Sir WILLIAM LYNE

- I will make a statement regarding that on clause 44.

Amendment, by leave, withdrawn.

Mr. SALMON

(Laanecoorie). - I invite the Minister in charge of the Bill to say whether he considers we are justified in passing a clause which will be mandatory - which will not be optional - under which a member of the public service, in order to retain his position, will be absolutely compelled to effect a further assurance on his life when he gets an increase of salary. I do not for one moment doubt the advisableness of the course in so far as it will help a man to meet the responsibilities which he will encounter after he leaves the service; but that is not the question so much as the ability of the man himself to comply with the requirements of the clause. I contend that it will be found impossible- - and the Minister knows well enough that it will be found impossible - in some cases for a man to effect any further assurance on his life. I have already referred to the breakdown that occurred under the Victorian system, which had to be altered some eight or nine years ago. That was a system of increased assurances with every addition to salary, but it was found impossible to carry it into effect, and it had to be abolished. Now the system is just as bad, because it requires an assurance equal to the amount of salary which a man receives on his first appointment to the service. If members of the Commonwealth service are to be burdened with such conditions as these, they will prefer to be out of the service altogether. I really think that Ministers have not sufficiently considered the matter.

Mr Deakin

- The words "as maybe prescribed" are sufficient - that is the safety valve.

Mr SALMON

- But that is only the proportion which may be prescribed.

Mr Deakin

- It is not only the proportion, but also relates to the increases.

Mr SALMON

- Of course, I take the Attorney-General's opinion as to the meaning of the clause ; but certainly it did not appeal to me in that way. I should be very sorry indeed to see the committee fix conditions in a Bill like this, which would be found impracticable, and which it has been found impracticable to carry into effect in Victoria.

Sir WILLIAM McMILLAN

- Surely the principle with which we start any assurance at all must be carried out as a man's salary increases, and if the additional assurance is fixed in an absolutely fair proportion, there is no more reason to cavil at it than at the assurance itself at the outset. The increases must be in keeping with the principle of assurance that may be adopted in the first instance, whether it be under a system of State assurance or of assurance with outside offices. The point is that a man on his retiring from the service should have an amount provided for him, equivalent to the salary attached to the position which he occupied in the service. Because, after all, in some positions £100 a year would be nothing to a man who had been accustomed to certain luxuries. It seems to me to be perfectly fair, under any circumstances, now that we have decided to await further developments from the Government's consideration of this matter, that we should pass these clauses as they are.

Mr HUME COOK

- I do not see how the hardship comes in in the way the honorable and learned member for Laanecoorie would persuade us that it does. Where a man has £100 a year, and £10 is deducted from his salary for life assurance, he is more hardly dealt with than is the man who has £200 a year, and who has to pay £20 out of it for life assurance.

Mr Salmon

- How do we know that a man would get the extra assurance for an additional £10 ; it might cost him £30?

Mr HUME COOK

- Even if the contention of the honorable and learned member be correct, the hardship would not be very great. If the principle of life assurance is sound - and we have agreed that it is - the officers ought to add to their assurances as their salaries increase.

Clause agreed to.

Postponed clause 46 - (Policy not assignable, and to be exempt from insolvency laws,&c).

Mr. POYNTON

(South Australia). There are two small amendments required in this clause, one of which is the insertion of the word " policies " instead of " policy " in the first line.

Sir WILLIAM LYNE

- I have looked into that matter, and find that there is no occasion to put that in.

Sir William McMillan

- Is it perfectly clear that the bonuses under the assurances must accumulate, and that the persons assured cannot touch any of the money?

Sir WILLIAM LYNE

- Oh, yes.

Mr PIESSE

- I would like the Minister to state whether he has considered what is to be done with the policies of officers transferred from other States ; whether those policies will remain subject to the laws under which they were effected, and if they are not to remain subject to those laws, whether it will not be necessary for him by regulation to prescribe in what way those policies shall be maintained. It is a matter of very serious moment.

Sir WILLIAM LYNE

- I have a new clause framed to deal with that matter.

Clause agreed to.

Postponed clauses 47 to 49 agreed to.

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Sir WILLIAM LYNE

- I move-

That the following new clause be inserted after clause 21 : - " The Governor-General may on the recommendation of the commissioner transfer to the general division :any officer in the professional or clerical division who has been found incapable of performing his duties in any such division."

That is the clause that it was promised should be submitted to meet the case of an officer who had been in the clerical or professional division, but who was found to be unfit for the position he was occupying. Under the Bill as it stood before, there was no other course but to get rid of him ; but this new clause will give power to have him put in the general division in the position which, perhaps, he ought to have been in from the very first.

Mr Isaacs

- I should like to have an understanding, about that. Is it intended that the officer should retain his salary ?

Sir WILLIAM LYNE

- No; it is intended that he should be put back into a position at a salary in keeping with the work he is called upon to perform.

Mr Isaacs

- He will be put in a suitable position at a suitable salary

Sir WILLIAM LYNE

- Yes. This clause is intended to obviate the necessity of dealing harshly with an officer who has not the power to do the work that he has been asked to do.

Mr. BATCHELOR (South Australia). This new clause gives power, as I understand it, to reduce an officer from the clerical to the general division. But I would ask the Minister whether there is any power to reduce an officer from the professional to the clerical division.

Mr DEAKIN

- That would not be a reduction, but a transfer.

Mr BATCHELOR

- It might be a reduction.

Mr DEAKIN

- Not necessarily. A good many officers in the clerical division are paid more than are some of those in the professional division, and vice versa.

Mr BATCHELOR

- Similarly, arguing on the same lines, some of those in the general division will certainly be getting higher pay than some of the officers in the clerical division. Would it not be better to widen the scope of the provision, so as to permit of men being taken from one division to another ?

Clause agreed to.

Amendment (by Sir William Lyne) proposed -

That the following proposed new clause be inserted after clause 21 : - " The Governor-General may direct that any officer in the general division, who shall have served for seven years, shall be paid the salary of £110 per annum, provided that the commissioner shall recommend on the ground of good conduct and efficiency that such officer shall receive such salary."

Mr CROUCH

- I presume that the amendment which, has just been moved is intended by the Government as a fulfilment of the promise that they would consider an amendment which I moved the other day upon clause 18, and which, as amended, to meet the wishes of the Government, now stands upon the notice-paper in my name : -

No male person who has served for seven years in the general division, and whose services are fully employed therein, shall be paid a lower salary than £110 per annum.

The proposed new clause, however, does not meet the desire of the committee, because it gives too much power to the Governor-General in regard to ' the granting of this salary. A very different provision was' inserted in clause 21 in regard to members of the clerical division, sub-clause (6) of which says : -

Every officer shall be entitled on reaching- the age of 21 years to a salary of £110 per annum.

Sir William Lyne

- Does the honorable and learned member wish to provide that a man either must get £110 a year or be, hunted out of the service %

Mr CROUCH

- I wish to insist that the Government of the Commonwealth shall pay a fair wage for a fair amount of work, inasmuch as some of the State Governments require outside employers to do so. In my opinion the amendment which I have proposed is the least which the committee will accept.

Mr. BATCHELOR

(South Australia).I am surprised that the Government have not brought forward a more liberal proposal. I had an idea 'that they were in favour of fixing a minimum wage at least as high as that now in force in New South Wales and in most of the other States.' But, under this proposed new clause, a man who may have entered the service at the age of twenty or thirty years must remain in it for seven years before he is entitled to the minimum wage of £110 a year.

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Mr DEAKIN

- That is not so. The intention of the proposed new clause is that no man who has served seven years shall receive less than £110 per year unless through his own fault. It has been pointed out by a number of honorable members that there may be a number of men who, through no fault of their own, may not have a chance of earning more than £50 or £90 per year, and it was contended that a minimum wage should be fixed to provide for such cases. The proposed new clause provides that no one who has been a certain length of time in the service shall receive less than £110 per year.

Mr BATCHELOR

- In the clerical division every officer who has been in the service for three years will be entitled to a salary of £110 per year upon reaching the age of 21 years, but with regard to the general division the Government provide that an officer must be seven years in the service before he can. obtain that salary, and there is no limitation of age to 21 years. I understand that the principle underlying the idea of a minimum wage is that if you employ an adult you must not pay him less than a living wage, which in this case is fixed at 7s. per day. If three years is long enough for an officer of the clerical division to serve to become entitled to £110 per year, no person in the general division should be compelled to serve seven years. "What was intended by the committee was that no public servant who had reached the age of 21 years, and had been any length of time in the public service, should receive less than £110 per annum, and that being so, the proposed new clause will not meet the views of honorable members.

Mr WATSON

- The proposed new clause does not seem to get us any further ahead, because the Bill already provides that the Governor-General, on the recommendation of the commissioner, may increase a man's salary whether he has or has not been seven years in the service. But, as I understood the desire of the committee, it was that there should be no question of " may," but that it should be absolutely imperative that every adult person in the service should receive at least 7s. a day. I know of cases in New. South Wales where men who have been nine or ten years in. the public service are only receiving £78 a year.

Mr Higgins

- Tj know of a man who has been eleven years in the service of Victoria, and who is receiving only £1 5s. a week.

Mr Mauger

- There are a number of cases like that in all the States. They are disgraceful.

Mr WATSON

- I would suggest that, instead of accepting the proposed new clause, we should repeat in regard to the general division the provision which we have passed in regard to the clerical division.

Mr Deakin

- The members of the clerical division must subject themselves to examination, to prove their fitness for their positions.

Mr WATSON

- The very fact that a man is continued in his position must be taken to show that he is doing his work

properly, and if a man is 21 years of age, and has been in the service for three years, he should not receive less than 7s. a day. If he is not fitted for his position, the commissioner can easily dispense with his services.

Sir William Lyne

- Does the honorable member mean to say that if the commissioner thinks that a man is not fitted to do his work he had better dismiss him?

Mr WATSON

- Certainly; I think that that should be one of the governing features of the measure. We do not want the public service to become an asylum for incompetents.

Mr. Reid. - Hear, hear. And the sooner we can get rid of the idea that it is an asylum for incompetents the better.

Mr WATSON

- I am Sure the great majority of the public servants would not thank us for encouraging that idea-. We should insure that a man shall be decently paid for the work he does, and if he is not fit for his work he should go. I trust that the Minister will see the wisdom of providing that as soon as a man who has been a reasonable length of time in the service reaches the age of 21 years he shall be paid the minimum wage.

Sir WILLIAM LYNE. - The position of the men in the general division is somewhat different from that of the men who come under clause 21. The officers of the clerical division have to establish their qualifications by passing examinations.

Mr Watson

-. - But we cannot examine the men in the general division upon the kind of work they do.

Sir WILLIAM LYNE

- Quite so, and therefore the circumstances are different. If we provide that a man who has been three years in the service shall receive £110 a year, men who are under the age of 21 years, and who entered it at the age of sixteen, will be entitled to that wage.

Mr Watson

- Then limit it to those who have attained the age of 21 years.

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Sir WILLIAM LYNE

- I am prepared to do that, and I move, in. substitution of my former amendment -

That the following proposed new clause be inserted after clause 21 : - "Any officer in the general division who shall have served for three years, and shall have attained the age of 21 years, Shall be paid the solar)' of £110 per annum."

Mr A McLEAN

- Would it not be better to make it read -

Who shall have attained the age of 21 years' and who has not been less than three years in the service.

Sir WILLIAM LYNE

- I do not think so. The sense is the same in either case. I have omitted the last sentence of the original amendment, because -we have already provided that if an officer is not competent the commissioner may' recommend that his .services be dispensed with.

Mr KIRWAN

- I would suggest the substitution of the words " or . shall " for the words " and shall." Under the proposed new clause, as it now reads, it will be possible for a man of any age to be in receipt of a salary of less than £110 per year. I think the idea of the committee is that no man over the age of 21 -years should receive less than £110 per year.

Mr Deakin

- If he has served three -years. He must have served three years, and that is the minimum. .

Mr KIRWAN

- If a man is not fit to receive £110 a year, and is over 21 years of . age, he is not fit to be in the public service.

Mr Deakin

- Quite so. This is the minimum, and most of them will have 7s. a day directly.

Mr REID

- While I have been to a certain extent amused (by the performance of the Ministry over this Bill during the short period I have been here, I think we have now arrived at a pass at which one must take a more serious view of the matter. Here is a Bill, supposed to have received the anxious . attention and consideration of the whole of the members of the Federal Ministry, who have had the benefit of the -whole of their skilled and competent advisers. This is a Bill which was heralded . as one of the most admirable measures ever -conceived by the human intellect. After riddling the Bill with hundreds of .amendments, it being difficult to discover who is the quickest - the one who moves the amendment or the Minister who accepts it - we are now faced with an extraOrdinary situation. The responsible advisers of the Governor-General, who are supposed to have thought this thing out from every point of view, come down here with this proposal, having had the advantage of gauging the opinion of the House in committee on the Bill from first to last. As originally framed, the proposal read -

The Governor-General may direct that an officer in the general division, who shall have served for seven years, shall be paid a salary of £110 per annum, provided that the commissioner shall recommend on the ground of good conduct and efficiency that such officer receives such salary.

As there worded, it was practically a maximum salary provision. It was practically fixing a standard in this unfortunate general division in which there are none of the annual increments that attach to the clerical division. In connexion with the clerks in the public service of Australia, we have a most ingeniously devised scale of constant increases of salary until a certain maximum is reached. That is a provision of this Bill carefully classified and thought out by the Federal Ministers. It is a provision carefully inserted that every one of the young gentlemen who pass an examination, which a youth of ordinary education would be able to pass, should in three years time receive a salary of £110 per annum. That is the provision with reference to the clerical branch of the federal public service. But here is a carefully thought out provision that the bone and sinew of the federal service - men in the general division may enter the service as able-bodied men at the age of 30 years, 35 years, or 40 years.

Mr Deakin

- Or fourteen years.

Mr REID

- Able-bodied men are not usually fourteen years of age.

Mr Deakin

- No, but plenty of men have entered the service at fourteen years of age.

Mr REID

- I am speaking of able-bodied men.

Mr Deakin

- The clause applies to boys also.

Mr REID

- Of course, the clause applies to boys ; but the honorable gentleman has forgotten that it also applies to thousands of able-bodied men who do partial manual work and clerical work, and almost certainly brain work.

Mr Deakin

- They get seven shillings a day to start with.

Mr REID

- I have no amendment to propose - if I had, my friend would be quick to accept it.

Mr Deakin

- That depends.

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Mr REID

- I am simply inviting the attention, not only' of the committee, but the attention, of a much wider constituency, viz., the people of Australia." It is all very well for "honorable members, when they face their constituents to bow down and worship the people, and when reference is made to the people in Parliament to sneer and laugh. That sort of thing is all very well, but it will not deter me from pointing out what it is my duty to point out. Here is a deliberate proposal that the able-bodied men in the federal service of Australia - men perhaps 30 or 40 years old - should serve a period of seven years, rather a scriptural sort of period it sounds like, of good, faithful, and effective service before they can look forward

to what is the wages of the unemployed of New South Wales to-day. The standard wage of the unemployed man thrown out of work yesterday in New South Wales, who goes to the Minister of Works for employment is exactly seven shillings a day, or about £110 per year.

Mr Piesse

- But there are no three weeks' holidays there.

Mr REID

- There are no three weeks' holidays, but they take holidays half the time some of them.

Mr Piesse

- For which they do not get paid.

Mr REID

- For which they do get paid. The honorable member for Tasmania, Mr. Piesse, is not accustomed to the fine arts of more civilized communities. I can assure the honorable member that, whilst the great bulk of the unemployed no doubt give a fair and honest day's work for all they get, it is well known that there is a considerable fringe of worthless persons who hang on to the genuine and honest unemployed, and simply make a farce of the work from one week's end to the other. These casual unemployed labourers get seven shillings a day, and here is a proposal that the labourers of the Commonwealth after seven years' faithful service, shall be able to look forward to the same magnificent return. Is the Cabinet a mere clerk who comes to the table every afternoon to be instructed by any member who likes to get up and say a few words? Can we have anything like wise legislation if the policy of a clause or of an Act is changed every moment by every conceivable influence which causes an amendment to be interjected? Is that the way in which legislation is to be conducted? I have passed by, as honorable members have passed by, a number of instances of this kind. This is a matter which one would think had been fully thought out. But here is a proposal which has only to be mentioned to be scouted. You do not need to pose as a Collingwood democrat to scout a proposal of this sort. Any man, whatever his position in politics, would look - on a wage of 7s. per day in the federal employment as a fair minimum wage. While I cannot express the feeling I have as to the mischief which is done to the community by giving higher wages to unemployed persons than are paid to persons in the ordinary steady employments of the country - wages which come out of the pockets of those unfortunate employed working men - while I cannot speak too strongly against a suicidal policy of that sort, which tends to make the ranks of the unemployed a popular resort for the genuine labourers of the country, there is a wider distinction to be drawn between questions of that sort and the standard which is set up for the persons employed in the Commonwealth of Australia. I do not suppose I raise questions as to politics when I say that I do not suppose there is a man in Australia, even the rankest conservative, who would contend that 7s. a day is too high a minimum wage for an able-bodied man in the service of the Commonwealth. It is right the Commonwealth should set up a high standard - it is right the Commonwealth should be the best employer, because the Commonwealth want to have the best services and the best men.

Mr MAUGER

- We have been saying that.

Mr REID

- What does the honorable member say to the proposition of the Government?

Mr Mauger

- We have already said what we have to say. The honorable member for East Sydney is too late.

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Mr REID

- I have not risen now. to deal with this particular matter, nor did I rise to make any sort of political capital out of it. Honorable members will recognise my proper position in this Chamber, and will admit that I have just as important a duty to discharge sitting on this side of the table, in the working of the Constitution, as the Ministers, with their private secretaries, have to discharge. I hope honorable members will recollect that. In the performance of my duty as a censor and critic of the actions of this Ministry, it is time I pointed out that, after the most ample opportunities for thinking this matter out, the Government have come down - I am sure they have shown a most complaisant and liberal desire in every way - and asked the House to accept a monstrous proposition of this sort. While a boy who has just attained the age of 21, and who drives a quill pen, is to get 7s. a day, a man in the general division of the service has to serve seven

years before he gets the same remuneration. This is a monstrous piece of inequality deliberately thought out by the Ministry. Are we to understand that the Ministry simply fly kites here in the shape of amendments to attract the notice of members in order to have members put the amendments right ? Is that the function of Ministers ? Is that not exactly the state of tilings we are reduced to ? The moment this monstrous proposition was understood by honorable members the democratic influence behind the Ministry volleyed and thundered, and the democratic influence in front volleyed and thundered, and nothing was left of the gallant 600. We find two Ministers troubling over one another at the table in order to effect a transformation scene - in order to bring the amendment into some sort of harmony with the structure of the Bill. I want to know, and I hope the Minister for Home Affairs will enlighten me - or if he does not feel equal to it, perhaps his learned and gifted colleague will do so - how it is that, with reference to the clerical division, this thing has been so carefully thought out in all its gradations, while in reference to the great bulk of the working men under the Federal Government this proposal was thought good enough.

Mr Mauger

- It was exactly the same in connexion with the clerical division, but the honorable and learned member was not here.

Mr REID

- Was it ? I can accept the authority of the honorable member. Then I understand there was an equal fiasco in that ?

Mr Mauger

- No fiasco.

Mr REID

- That is what the honorable member means.

Mr Mauger

- No.

Mr REID

- Because if a similar state of things occurred with reference to the clerical division, does it improve the position of the Government to say that the Government are always doing it? It is a wonderful piece of political justification when one has to criticise a Government for evident want of thought in a most important matter, affecting the interests of several thousands of persons, and when a Government supporter thinks it a sufficient reply to say that the Government have been doing the same all the time; If they have been doing the same all the time, the honorable member has incurred a grave responsibility. When they tried this on the honorable member, it was found too much. But I wish to call the attention, not only of this House, but of the whole public of Australia, to the way in which these matters are being dealt with. We spent days and days over this question of life assurance-

Sir William Lyne

- The right honorable and learned member has not been here.

Mr REID

- I have not been here, and it would have been better for the country if the honorable gentleman had been away, too, perhaps. At least I am not doing mischief when I am away, and that is more than the honorable gentleman can say when he is here. Instead of this being a Bill, the lines of which have been wisely settled by the members of the Administration in such a way that their own supporters - who are likely, I suppose, to put the most favorable construction upon everything they do, and properly so - could accept it-I do not say accept it entirely, because I admit that in any measure of this sort a certain amount of amendment is unavoidable, but after making every fair allowance for a proper degree of amendment, we have been reduced to this position : that the drafting committee, the true authors of the policy of the Government, are not in the Cabinet, but are in this Chamber. Is that the theory of responsible government % I think not. I simply draw attention to this as a most important matter.

Mr Crouch

-. - It is a mere detail.

Mr REID

- It is to honorable members, whose salaries of £400 a year are guaranteed by the Constitution, but it is not a mere detail to the working men in the Commonwealth of Australia. Was the question of the life

assurance of public servants a mere detail? We have been wasting on that detail, hours, and hours, and hours-

Mr Mauger

- Wasting?

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Mr REID

- Perhaps that is the wrong terra to employ, but I think we all agree that the matter need not have taken quite such a long time as it did.

Mr Mauger

- Whose fault was it that it took so long?

Mr REID

- Well, I have not been here. It is of no use abusing me for taking up time in one breath, and abusing me for not being here in another. Even Ministerial supporters must not give way to logic of that sort. But if this were a mere trifle there would be an excuse for it. Why, this Bill which I have before me is full of black-letter provisions with reference to one class of the service. There the clauses are, most carefully reconstructed. The original proposal of the Government has got into another form. Most careful provisions have been inserted, and at the end of the Bill this clause is thrown at the committee in such a form that Ministers have had to abandon it without the slightest delay. The Attorney-General - a gentleman whom we all respect as a very good political navigator - tried to stem the tide with some ejaculation about "Oh, these gentlemen have to undergo an examination." That is a position which the honorable and learned gentleman suddenly dropped; because, what a farce it is to try and discriminate between two classes of men in the Commonwealth, by saying that one class passes some examination as to where a certain island is in the German Ocean, or as to how one would parse a certain sentence. Because something of that sort is done, is it to be suggested that that makes the most marvellous difference, and that the matter therefore requires the most careful consideration? The Attorney-General puts that forward as a reason for compelling men in the general division to serve seven years in order to get £110, and then as a certificate of extraordinary merit on the part of others, he ejaculates "Oh, but there is an examination!" He has given that position away now. He abandons this feeble little attempt to keep alive that utterly hollow distinction between one class of the service and another - between the clerical and manual division - and after abandoning that utterly ridiculous attempt we find Ministers within five minutes turning the proposal absolutely inside out. If honorable members do not understand the difference between a man having to serve seven years in order to get £110 per annum, and having to serve three years in order to get it, I think that the men themselves do. I think that the time has come when Ministers should carefully think out matters of this sort before submitting them for the consideration of this House. May I suggest, too, that if honorable members opposite - who have been doing all they can to help the Ministry - could only spare a little time to consult with the Government before these measures are introduced, it really would result in valuable saving of the public time. The less carefully a Bill is drafted the more time will necessarily be required to consider it. Whilst we are taking up time on this Bill--

Mr Mauger

- Hear, hear.

Mr REID

- Yes, whilst honorable members opposite have been droning out their opinions about life assurance they were perfectly happy. They thought that an astonished world was listening to them. But now that another honorable member, who has not spoken for a month, and who, I may say, possibly represents a larger number of members than the individual members to whom I refer--

Mr Mauger

- That is a little bit low.

Mr REID

- I do not think it is, because it is a little bit low to endeavour to interfere with a man in my position when he is discharging his duty. That is my idea of the matter. Of course, some honorable members would like to go on in this quiet state of mutual admiration, but that is not the condition that should characterize any Parliament which is properly conducted. I have given way to it till I reached this--

Mr Mauger

- The honorable and learned member could not stand it any longer.

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Mr REID

- I do not wish to engage in a conversation with the honorable member, because that is a misfortune which I am not compelled to undergo, but I do beg the Government, in the interests of the public time, to think these things out more carefully before they submit them to this Chamber. Time will be saved by the few minutes which I have occupied this afternoon. And now that the matter has been put to the Minister for Home Affairs, I would ask him if he can give a single reason why he submitted this proposal? It will be more satisfactory to the House and to the country if the honorable gentleman will be good enough to reply to this one question, with which I conclude my remarks, "Can the Minister give one single valid reason which will appeal to any intelligent member why this proposal was put before this Chamber"?

Minister for Home Affairs

Sir WILLIAM LYNE

- The right honorable and learned member has had his little say, and blown off steam a little bit. I am not at all surprised, knowing him as I do of old. I knew by his manner yesterday that something of this sort was coming. The right honorable and learned member has made an attack on the Government. He is the gentleman who, as Premier of New South Wales, paid the workingmen wages as low as 5s. a day. I raised that amount to 7s. a day, a condition of things which he was afraid to bring about, and I am not likely here or anywhere else to attempt to bring the wages of the labouring man of the Commonwealth "down to 5s. per day. If the right honorable and learned member had been in his place, and had known what led up to this position, he would know perfectly well that the principle was acquiesced in by the Government. I have had a great deal on my hands whilst the Bill has been under consideration, and have not been able carefully to analyze every amendment or new clause submitted to me. This new clause was prepared hurriedly, and the object of the draftsman was no doubt to deal with cases where boys came in at thirteen or fourteen years of age. We had no time to print these amendments, or I should have submitted them in printed form. I received them just as the House met, and did not have an opportunity of going through them in order to ascertain whether their wording carried out the intention of the Government. The moment that I saw this proposal did not carry out that intention I accepted the condition and agreed to the amendment.

Mr MAUGER

- They are very sorry that the honorable gentleman did.

Sir WILLIAM LYNE

- Possibly they are. I agreed the other night that the minimum wage to be paid should be 7s. per day or £110 per year, and the Government are not going back on that promise. But the draftsman thought that the Bill had to be safeguarded in the case of boys, and thus the trouble arose. The right honorable and learned member for East Sydney twits honorable members with going before their constituents and talking about a minimum wage, whilst sneering at the matter when they come to deal with it in Parliament, behind the backs of the electors. That is a nice thing to say in a committee of this kind. The right honorable and learned member then turns to the scale in the schedule at the end of the Bill. If he had been here earlier he would have known that there was an amendment submitted which obviates the necessity for altering that schedule. It can be altered in certain cases by the Governor-General on the recommendation of the commissioner, but it was not thought wise to put that into the schedule, and therefore his remarks have no point. I should not be one in the future, any more than I have been in the past, to ask men to do work such as was done under the right honorable and learned member's Government in New South Wales at 5s. and 6s. per day. That work was not done by the general unemployed, but by men who had irregular work created for them. Honorable members will very soon know how much weight to attach to the right honorable and learned member's remarks when he assumes a virtuous and indignant manner. He has twitted me with accepting the recommendations from the committee. What is a Bill submitted to a committee for? It is not to be supposed that a Minister or Government can provide for everything that is to be seen afterwards in intricate measures of this kind - one of the most important and intricate Bills that could be submitted to Parliament. As long as the committee do not interfere with the main principles of the Bill I am only too glad to accept suggestions which may improve it. If I refused to do so, I might just as well not submit it. The right honorable and

learned member has said that the Government should have this Bill in a better and more complete form than that in which it appears at this particular stage. But he forgets that he submitted a Bill dealing with the public service of New South Wales which was riddled from beginning to end with amendments, ten times more so than this Bill has been.

Mr HUME COOK

- And dealing with only one State.

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Sir WILLIAM LYNE

- Yes ; although there are a great many amendments in the Bill, there are only half-a-dozen or so of any importance. The others are merely consequential, yet the right honorable and learned member takes up the Bill and flutters it as if the black type showed important amendments. He knows very well that it is not so. It is only a little way that he has.

I do not think the Bill has been so very seriously altered from the main principles that were brought clown for the committee to consider. I say again that I do not wish to be speaking to the gallery here, and I do not wish at this early stage of the Commonwealth to commence speaking to the public outside - when there is no occasion for any such thing - as we heard the right honorable gentleman doing a few minutes ago. I wish to deal with legislation seriously, and to ask the committee to assist us in improving it in every possible way. If that is done it must be in the best interests of those whom it is going to affect; - in this case a very large section of the public servants, and when I refuse to consider ordinary and useful recommendations by the committee - many members of which have, perhaps, had more intimate dealings with this question in all its intricacies than I have had - I shall not be fit for the position which I occupy at the present time. I hope that we shall not again see an exhibition such as we have had from the honorable member opposite to-night, as I think we should allow all such matters to remain in abeyance and deal with legislation in a common-sense business-like way.

Mr. REID

(East Sydney). - I should like to make one observation in reference to a statement by the honorable Minister for Home Affairs. I never hold him seriously responsible for any statement about facts, but there is one statement the honorable member made in his excitement which I must correct. The honorable member has stated that when I was at the head of the Government of New South Wales I paid 5s. a day wages for labour under the Government.

Sir William Lyne

- So the right honorable member did - for painting the railings.

Mr REID

- The statement is untrue.

Sir William LYNE

- It is perfectly true.

Mr REID

- The statement is absolutely untrue, and I am sure if the honorable member knew the facts--

Honorable Members. - Chair, chair ! Order, order !

The CHAIRMAN

- I am sure the right honorable and learned member will see that he has infringed the standing orders in making a statement that the Minister has told an untruth.

Mr REID

- It is the interruption, Mr. Chairman, that has made you take that view. I was going on to say that if the honorable gentleman had any knowledge of the facts he would think differently, when I was interrupted by honorable members on the other side, who seem so ready to surround the Minister, as if he could not take care of himself--

Mr Crouch

- I beg to draw your attention, Mr. Chairman, to the fact that the right honorable gentleman has not withdrawn what you declared to be a disorderly remark.

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Mr REID

- If the honorable member for Corio will allow me, I will go on. I may say that I was interrupted by disorder,

in the middle of a sentence, and that it was made to appear, not designedly, that I was making a disorderly remark. I was not allowed to finish the sentence. I was "about to say that if the honorable member had a knowledge of the facts - and surely it cannot be said that there is anything offensive in that remark - the honorable member cannot be personally aware of the multitude of facts regarding which he makes statements, and the last thing I would impute to the Minister, or to any member of the House, would be the ability to make a statement knowing it to be untrue. What I desire to say is that the statement is untrue, not that the honorable member is untruthful; the honorable member has been true to himself in every respect. The statement is untrue, and it is mischievously untrue. It is a piece of political electioneering, which might have been left in the State where it has served its turn. The fact is that in all my administration of the public affairs of New South Wales I have laid down the principle that Government servants of all ranks should receive the highest and the best wages ; but, rather than leave a number of embarrassed and poverty-stricken persons without anything to do - I refer to the time alluded to by the honorable member - I provided work for them. At one Christmas time - I think it was then - there were two or three or four hundred old men, who were incapable of doing any hard manual work, and, in order to put a few pounds into their pockets, I gave them employment which left them probably 5s. a day. I say it was much more courageous to give these men some work they could do, at the rate of 5s. per day, than to have paid them a higher rate. I could easily have given them 7s. a day. A black fellow could do that if he were in power. I could easily have given them 10s. per day, but I knew my duty to the country better. I did not wish to make the ranks of the unemployed more attractive than steady employment, but that is what the honorable Minister has done, and he has left behind him a legacy of disaster, which will probably be acknowledged to-day when the results of the polling in New South Wales are known. I say we should always, in this Commonwealth, draw a line between steady and fixed employment under the Government and methods of relieving casual distress. I did so in New South Wales, and I am sure that honorable members will do so here. Now, in reference to the remarks of the honorable member that no main principle of this Bill has been altered, I would say that there is not a member of this Chamber who does not know that that statement is another mistake. The honorable member has fallen into another mistake, because this Bill, as it was introduced in committee, was radically and in its principles a different Bill from what this committee has made it. In that vital point as to the true centre of authority in the service, the Bill, as it came to this Chamber, provided, for three possible conflicting authorities - the head of the department, the commissioner, and the Governor-General, which really means the Ministry. That was the vital basis of this Bill as it was brought down to this Chamber.

Mr McCay

- Far from it.

Mr REID

- I admit I. must be wrong if ;he honorable member says that.

Mr. McCay. - I am glad the honorable gentleman feels that.

Mr REID

- I should like to say that I have had the advantage of looking at the alterations made in the Bill, and although I lack the confidence of the honorable member for Corinella - I am- not offended at the honorable member's confidence at all, because it is perfectly characteristic - so far as I can observe the alterations in the Bill, I consider that a very radical change has been made, and a wise change - a change that will be invaluable in working this measure - and that is that the commissioner has been placed, with reference to the head of the department, in a vastly different position from that which he would have occupied under the Bill as it originally stood. I think this is a vast improvement in the Bill. As I said before, I do not at all complain of the Government listening to any amendments - I do not complain of their ready desire to listen to amendments, and to accept all those that are useful ; but what I do complain of is that there have been a multitude of matters, some of them perhaps matters of detail which ought to have been foreseen, and which, if they had been foreseen, would have saved a great deal of discussion. That was the criticism I ventured to make.

Mr. McCAY

(Corinella). - I must confess - whether it be clue to my eyes alone, or my eyes with my imagination added - that I have seen a great deal of difference in the mode o'f conducting the business in this Chamber during the present week as compared with previous weeks.

Mr Reid

- Hear, hear. I should think so.

Mr McCAY

- And the right honorable gentleman is responsible for it.

Mr Reid

- I hope so.

Mr McCAY

- The right honorable gentleman congratulates himself upon it, and no doubt from his point of view it is a matter for congratulation, but from my point of view, and from the point of view of the public, it is far from being a subject for congratulation. When the Ministry brought down tins Bill they told the House frankly that it was not a party measure, and that they looked to both sides of the House to assist them in making, it perfect. The acting leader of the Opposition, adopting the same- view, said that as far as he was concerned, and he believed as far as the Opposition was concerned,, it would be regarded as a non-party measure.

Mr Reid

- Hear, hear.

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Mr McCAY

- The Ministry further stated that suggestions coming from any part of the House- would be welcomed, and would be given due weight and consideration, and 'ever since the Bill has been in committee until yesterday we had no speeches that bore a party complexion. Since then, however, we have had continual reminders from the right honorable member for East Sydney, who has told us half-a-dozen times that he was sitting on that side of the table instead of on this side. We all know that it was a most deplorable mistake on the part of the Commonwealth that the right honorable member should be on that side of the House instead of this, and we are all still at a loss to understand why such a disaster should have been permitted. Further, we are not altogether without hope that some of the consequences of that disaster may be averted, and that the Commonwealth will still be able to survive that inevitable shipwreck, which to the keen eye of the pilot on the other side, seems impending. We hope the chance may arise which will put the helm of State in the right hand, and we cannot accuse the right honorable member of losing any chance of seeing that the right is done and the wrong is remedied. He has done his best to bring this matter, which was beyond the realm of party politics, within that realm, which is the very worst place it could be in. I rise, not to pursue the work the right honorable member has been doing, but because I think that in the interests of the public service of this Commonwealth and of the Commonwealth itself, the sooner we learn whether the right honorable leader of the Opposition, is going to allow measures to come into this House as non-party measures, the better it will be for the Parliament and every one else concerned. If the honorable member persists in the attitude he has adopted during the last day or two it will be distinctly against the interests of the whole community.

Mr Reid

- Why last night I was as amiable as I could be.

Mr McCAY

- A man may be perfectly amiable and still be pursuing his own objects as well as by being irate or excited. That is understood, and the honorable member's amiability of manner is no guide as to the amiability of his intentions. I say that the right honorable member has half-a-dozen times, in connexion with proposed amendments and remarks he has made, drawn attention, not to the faults of the Bill, not to the thing which ought to be done in the interests of the Commonwealth, but to the faults of the Government and to the bad way in which they are doing their work. We are not so much concerned with the merits or demerits of the drafting of the Bill as with the merits or demerits of the Bill as it may leave the committee, and I think the honorable member even without reflection will realize that. We all know that there is a certain game that some honorable members play - that there are two parties, the ins and the outs, and that the outs are always trying to secure the places of the ins. That is an aspect of politics which was well known in New South Wales whilst it was a colony, before it became a State, as well as now, and it is an aspect of-politics that the right honorable member for East Sydney is perfectly well acquainted with, because we have heard from him continual resurrections of the dead bones of past politics in New

South Wales. This Parliament has heard as much of New South Wales politics during the last month - I admit that it was the same even while the right honorable member was away - as it has heard of Commonwealth politics. I believe that it will be as injurious to the interests of the community for honorable members of the Opposition to draw inferences as to the willingness of the Government whenever an amendment is suggested to them to accept it, as it will be for honorable members on this side of the Chamber to allow their allegiance to the Government to blind them to the demerits of the measure. I believe that the leader of the Opposition has on half-a-dozen occasions during the last few days made remarks about the Government which, whether true or false, were not in the least degree calculated to produce good legislation. But I trust that in the future we shall deal with the measure in the businesslike manner in which it was originally . proposed that we should deal with it, and that we shall not have cause to feel, whenever an effort is made to improve the Bill, that an opportunity will be taken to attack the position of the Ministry. Let us deal with the Bill and not with the Ministry. Let us have more of the fact that we want to enact' a good law than of the fact that we want to have surprisingly good men at the head of the Administration.

Mr F E McLEAN

- I am sure that the leader of the Opposition must be very much obliged to the honorable and learned member for Corinella for his exceedingly kind and wise advice, and I have not the slightest doubt that it will have its due effect upon him.

Mr McCay

- I doubt that.

Mr F E McLEAN

- The honorable and learned member when he talks about party tactics seems to forget that it is quite possible to deal with the Bill in a non-party spirit, and still hold the Government responsible for bringing it before us in proper form. The honorable and learned member is quite content to accept the measures of the Government in whatever shape they bring them forward.

Mr McCay

- I have not shown that I am.

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Mr F E McLEAN

- He appears to be quite satisfied with slipshod Bills, so long as however battered, tattered, and torn they may become, they are in the end brought into harmony with his way of thinking ; but it does not occur to him that his attitude is quite as much dictated by party spirit as is that of the members of the Opposition when they feel it their duty to criticise the Government for bringing forward ill-digested legislation. The Minister for Home Affairs has absolutely failed to reply to the criticism of the leader of the Opposition, and to show why, when it was fired on from the labour benches and by members on his own side, he abandoned the clause within ten minutes of bringing it forward. Although, like the leader of the Opposition, I have not been here during the last week or two, I have read the report of the debates very closely, and I have come to the conclusion that the Government are absolutely without a policy, and are prepared to adjust their measures to suit honorable members in any part of the chamber whose amendments appear to command a majority. In my opinion the leader of the Opposition was perfectly justified in calling public attention to the want of backbone on the part of the Government, and to their lack of intelligence and knowledge of the subject with which they are dealing. It is no excuse for Ministers to tell us that these Bills were prepared by the draftsmen in a hurry, and were introduced before Ministers could make themselves thoroughly familiar with their provisions and with the difficulties to be met with. We know that there has been ample time to consider these Bills, and Ministers must be held responsible for any ill-digested legislation they introduce. I shall vote for the proposed clause as amended, and I am quite satisfied to let this little game go on, because the inevitable result will be that the people of the Commonwealth will see - as they are beginning to see already - that the intelligence of the Chamber is not centred in those who occupy the position of Ministers of State. In saying this I do not mean to deny that a considerable amount of ability has been shown by certain Ministers in the discharge of their duties; I am referring only to the manner in which certain measures have been introduced and amendments have been accepted from all quarters by this exceedingly accommodating Government. I hope that they will continue to accept the amendments which are thus showered upon them. The particular matter with

which we are now dealing is one which the committee might have expected would receive consideration at the hands of a professedly democratic Government above all other matters. We have seen in New South Wales, in Victoria, and in the other States, what great dissatisfaction results from making distinctions in matters of salary and privileges between officers of the clerical and officers of the general division of the public service. I believe that in connexion with the administration of the public service in New South Wales this has been a great source of dissatisfaction, and as Ministers have this experience to warn them, one would have thought that they would have approached the question with special caution, and would have provided that persons in the general division should not be subjected to difficulties and disadvantages which are not imposed upon persons in the clerical division.

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Mr CRUICKSHANK

- I am very glad to see that we have an Opposition here to-day, because yesterday there was not a man-jack on the Opposition benches, but I cannot allow the remarks of the leader of the Opposition to pass without notice, seeing that the provisions of a measure which he fathered in New South Wales have been the cause of the difficulties and hardships which have induced the Government to insert this clause. Many employees in the general division of the Government service of New South Wales found that they could not get their salaries increased beyond £70 or £80 per year, and they have asked members of this Parliament to see that, when this Public Service Bill is passed, persons in their position will receive consideration. I am surprised, that the leader of the Opposition, and other honorable members, who are so busily criticising this Bill at this advanced stage of its consideration, do not see that the clause will give relief to those who are complaining of the want of a minimum wage provision in the Public Service Acts of the States, and that it meets with the unanimous approval of the committee. The honorable member for Lang division, states that he has read all the speeches which have been delivered, but, although he comes back dissatisfied with the Bill, he has no amendment to propose. The Government have received no assistance from the Opposition, and the leader of the Opposition has neither spoken upon the second reading nor offered any suggestions for improving the Bill.

Mr Poynton

- I should like to know what the honorable member has done.

Mr CRUICKSHANK

- I have discussed the clause with other honorable members round about me as much as any honorable member in the Chamber.

The CHAIRMAN

- I have not been so rigid in the performance of my duties as perhaps I ought to have been, in allowing this debate to proceed, because, as every honorable member is aware, the rule is that in committee the discussion must be confined entirely to the question before the Chair; but, having allowed the leader of the Opposition to make a statement, I thought it due to the Minister in charge of the Bill that he should be allowed to reply. I recognise, however, that if the discussion is allowed to proceed further it may lead to confusion and disorder, and, therefore, I ask the honorable member to confine himself to the clause.

Mr CRUICKSHANK

- I think that we might peaceably come to a division now. The passing of the clause as amended will satisfy the people to whom I have referred that there is a provision in the Bill making it emphatic, and not problematic, that they shall receive consideration.

Proposed new clause agreed to. Mr. DEAKIN (Ballarat - Attorney-General). - I move -

That the following new clause be inserted after clause 42 : - " When any charge against an officer is submitted to a board of inquiry, such board shall have the right to direct that the inquiry shall be held in private. In any case where such board finds that the charge is not proved the board may recommend that the reasonable expenses, or any part thereof incurred by such officer in meeting such charge, be paid, the amount of such expense to be mentioned in such recommendation. Every such recommendation shall be considered by the Governor-General. In any case where a charge against an officer is submitted to a board of inquiry a copy of all the documents intended to be used at such inquiry shall be furnished to such officer at least seven days before such inquiry is held." This new clause is to meet an understanding arrived at in committee, and I think it embodies every suggestion made in reference to the improvement of the procedure of boards of inquiry as provided in the Bill.

Mr. REID

(East Sydney).- - Free as we must all be from party feeling, I am very much afraid that the language which the Attorney-General has used in the clause is scarcely strong enough to meet the object in view. I understand the object is that if any officer against whom a charge is laid so desires, he will be entitled to have the inquiry in private. . . .

Mr Deakin

- - -No ; that was expressly rejected in committee.

Mr REID

- Then what is the use of the officer having the right to demand that the inquiry be held in private 1

Mr Watson

- It is left to the judgment of the board whether the inquiry shall be held in private.

Mr Deakin

- It is entirely within the judgment of the board.

Mr REID

- Is it not provided that the officer charged shall have the right to demand that the inquiry be held in private 1

Mr Deakin

- That is not so.

Mr Watson

- It is very inconvenient not having copies of the proposed clause.

Mr Deakin

- The Bill is to be recommitted, so that there will be further opportunity for challenging the provision. This clause is drawn to carry out an understanding arrived at with practical, if not absolute, unanimity in committee ; and though there has not been time to have it printed and. circulated, it was considered not worth delaying the Bill on that account.

Mr REID

- I see the clause provides that the board shall have the right to direct that the inquiry be held in private. The provision as to expenses is really in line nature of giving a certain award as to costs. Would regulations be sufficient ' authority for the recovery of the costs ? The mere fact that the board awards an officer a certain amount does not give the officer the money, and some procedure is required in order that payment may be compelled.

Mr Deakin

- - -It is the State which is liable for the costs under the circumstances, and the State is bound by its own Act.

Mr REID

- Then there will be no necessity for any machinery of that kind. The intention is that expenses will be paid from the public funds, if directed by the board ?

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Mr Deakin

- Yes.

Mr.' WATSON (Bland).- I think the expression used in the latter part of the proposed new clause is that an officer charged shall be furnished with all documents intended to be used. I was wondering whether that is sufficient to cover a case in which confidential reports might be used, reports which, though having no direct connexion with the particular charge, might influence the head of a department in causing an inquiry. It ought to be laid down that everything in writing against an officer should be submitted to him.

Sir William Lyne

- Everything but confidential reports. This point was discussed the other night, and it was decided that, in the interests of the inspector, confidential reports should not be submitted. I then stated that I would not agree to prepare a clause to allow confidential reports to be submitted, but only such documents as are provided for in the new clause.

Mr Deakin

- The board does not see confidential reports.

Mr WATSON

- It depends to some extent on the constitution of the board. So long as the board does not contain among its members any officer who has had access to those confidential reports, there is no objection. I do not know whether there is any provision to insure that no such officer shall be one of the board.

Mr Deakin

- No such officer concerned would be appointed on the board.

Mr WATSON

- I do not mean the officer making the charge, but some officer who has had access to confidential reports some time prior to the charge being investigated. If there is any possibility of such an officer getting on the board it would be a bad thing, unless the officer charged had an opportunity of replying to confidential reports. What I desire to insure is that any officer will have a chance of replying to any charge which is the subject of investigation.

Sir William Lyne

- That is provided for.

Mr REID

(East Sydney).- I think the honorable member for Bland has raised a very important point. The suggested clause provides that a copy of all documents intended to be used shall be furnished to the officer charged, and I quite understand the difficulty there is in the matter of showing confidential reports. At the same time, it seems to me that an officer is scarcely put in a fair position by the present terms of the clause, which will amount to a warrant to the head of the department to select papers.

Sir William Lyne

- No.

Mr REID

- We will suppose that a permanent head makes a charge against an officer, and that the matter goes to a board of inquiry. The position of the head of the department is that the law will tell him he may select documents - "documents' intended to be used," because he will practically be the prosecuting authority making a charge against a subordinate. If the words " documents intended to be used " remain, the permanent head will select the documents he intends to use, and will say that the Act places him in a position to do so. The Act -will point out to the prosecuting authority that he has the discretion of selecting documents to use against the officer.

Mr Isaacs

- What he does not select, will not be used against the officer.

Mr REID

- But perhaps documents not selected would be of the greatest value to the officer charged.

Mr Deakin

- The officer could get them.

Mr REID

- How ?

Mr Deakin

- Because the officer charged is entitled to prepare his case- as much as are those who make the charge.

Mr REID

- Does the Attorney-General mean to say that an officer charged could get confidential reports ?

Mr Deakin

- No; but he can get any other documents.

Mr REID

- What is the use of the Attorney-General saying that the officer charged could get documents which I was pointing out were beyond the reach of the officer? I admit the difficulty of breaking through the rule of the public service that certain documents must be confidential. It is a serious difficulty, but, at the same time, from any experience I have had - and I have had a fair amount of experience in the public service - I doubt whether the expression in the clause may not be used in such a sense as scarcely to bring about a full investigation of the matters in dispute. Is there anything in the Bill which entitles an officer charged to demand, as a matter of right, copies of all documents? We all know that even permanent heads are human beings, and may perhaps be put on their trial - that a trial although nominally that of a subordinate, may really be the trial of a superior officer.

Mr Watson

- Take the case in the Statistician's department in New South Wales, where there was a dispute between a subordinate and the head.

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Mr REID

- Honorable members will see that the under-secretary of a department may practically be involved in the matter, the subject of investigation. He is in a position of authority, and he, under the words of the clause, may say, " I intend to use these documents a, b, and c." There may, however, be a document d, which this particular officer may think it unnecessary to produce, but which, if produced, might enable the person accused to bring the strongest possible evidence in his favour against the particular officer. It would seem as if an officer who is bringing a charge would practically have an advantage over the accused person, and that, I think, is unreasonable. A superior officer has sufficient advantage over an inferior officer at all times ; and an under-secretary bringing a charge against an. officer in his department, starts with a certain additional force which the man below him cannot exercise. I Appeal to the Government to consider whether a man, who is being practically tried for his life - because it may be a charge involving his dismissal and degradation - should not be entitled to see all documents which in. any way relate to the particular charge.

Sir William Lyne

- He may, so far as I am concerned ; but certainly not confidential documents.

Mr REID

- I would point out how much this power could be abused by the head of a department, who, knowing that confidential documents must not be produced, may put into confidential documents all sorts of things, which practically place an officer on his trial. An accused person may ask for a minute, which is perhaps a minute to a Minister. I do not know what the machinery will be - whether the permanent head will report to the Minister.

Sir William Lyne

- The permanent head will report to the commissioner.

Mr REID

- I do not think we would say that the commissioner should not see such confidential documents. Surely the commissioner will have a right to see every document ; and yet, if the commissioner has this right, the accused person would be in the odiously unfair position of being tried by a judge, who has in his possession documents relating to the accused, but which the accused person himself cannot see. That would be an intolerable sort of inquiry. What would be said if such a state of things existed in any court of justice?

Mr Crouch

- That is just what exists at this time. Orders may be made for discovery of documents.

Mr REID

- May I point out to the honorable and learned member that a Judge sitting on the bench does not get confidential reports from the person who is prosecuting a man on trial. A Judge does not get confidential reports to guide him in trying a man while that man is not aware of the documents.

Mr Isaacs

- The board of inquiry is not supposed to see any of those documents.

Mr. REID. - Surely the worldly experience of the honorable and learned member is sufficient to enable him to know that the permanent heads of departments have many ways of letting the inspectors know things. In a matter of law, I should have the most profound deference for the opinion of my honorable and learned friend ; but having been twenty years in the public service, I perhaps have gained some little knowledge of the ordinary incidents of the life. Perhaps my friend will allow me, on a subject of this sort, like Middlewick on the subject of " Dosset," to have a certain amount of experience. My own experience teaches me that even the best of permanent heads are liable in matters of this sort to come into close touch with high officials, and I do not know that it is an improper condition that they should be able to have communication with the man in the position of chief inspector. Of course the board might be a perfectly independent body apart even from the inspector, but I certainly think that there should be some provision by which an accused person would be enabled to see every line that has been written

connected with the offence with which he is charged. I, do not mean that he should see every line that has been written after the case has begun, because then he is upon his trial, and has no right to see the brief of the other side. But all the documents relating to the charge which is brought against him, and which are upon record in the department, should be accessible to him. . I think it is a question, at any rate, for serious consideration whether an accused person should be kept in the dark as to a single word that has been written in connexion with his alleged offence.

Mr Isaacs

- Would the right honorable and learned member apply that to all accused persons ?

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Mr REID

- It is sufficient at present to deal with this particular matter. I do not think that the question of the honorable and learned member for Indi is a relevant one: I would further suggest that the right of an accused person to see everything that has been written against him, would be likely to exercise a healthy effect. If that were his right, men would be less likely to put upon paper things which were prejudicial to an officer. Every man who puts his pen to paper for the purpose of injuring another ought not to know that by the use of the little word " confidential " that paper can be screened from the observation of the man whom he accuses. If he knows that it cannot be so screened from the accused, it is one of the strongest securities we can establish for a satisfactory state of things.

Mr CROUCH

-For want of discipline.

Mr REID

- If a man is being tried practically for his life we have to consider his position a little. It is not a mere matter of discipline, but a matter of character.

Mr HUME COOK

- What does the right honorable and learned member suggest to get over the difficulty?

Mr REID

- I suggest that not a single document on record in the custody of a public department relating to a charge against a man should be withheld from that man. If that were the rule established by the law, people who make charges against public officers would make them with more care and discretion, and with more regard to the consequences. Do we not know the difference in the ordinary affairs of human life between referring to a man under the word " confidential," and in a letter that is written otherwise ? In the ordinary affairs of human life it makes all the difference in the world, although I admit that it ought not to. But the supreme interest in this matter is the interest of the accused, who has a right to know all that is alleged against him. Let me put a case. Let us suppose that in a confidential report to a Minister an under-secretary makes two distinct charges against an officer, and that the Minister approves of one of those charges being sent on to an inquiry. The Minister might perhaps say to his under-secretary - " I think you have been led away to make charge number one against this officer. It revolts my better feelings. I do not think it is right, and I will not allow you to put it." Then the under-secretary goes before the board of inquiry with one charge, whereas it is of the greatest importance to the accused to be able to show the board that the under-secretary was so inaccurate in his treatment of him that the Minister had actually refused to proceed with one of the charges.

Mr Isaacs

- How would that affect the matter ?

Mr REID

- Surely the honorable and learned member for Indi is not a tyro. Surely he can see that an under-secretary's evidence as between himself and his inferior, is of greater weight. At any rate, there is a tendency to attach greater weight to it. Let us suppose that an undersecretary put his own testimony against a subordinate's - and we know very well that many of these charges may not be the subject of documents at all. They may refer to a matter which relates to an interview between the under-secretary and this officer. The two give their evidence. Let us further suppose that the subordinate has no opportunity of getting behind the evidence of the under-secretary in order to show the history of the occurrence, and to prove that the under-secretary had been accusing him of matters that the Minister would not let him bring before the board. Surely that would be important for the board to know in such a

case. The genius of the matter is, I think, that there should be the fullest inquiry. There is inconvenience, I admit, in submitting confidential documents, but I think that in matters affecting a man's position the inconvenience is not so great as the injustice of keeping that man in the dark. It is not, as if these matters were matters of international policy. After all, it is only a question of a charge between A and B, but still it is a matter of very great consequence to both A and B. As one who has had a good deal of experience in connexion with the public service, I feel that the subordinate deserves all the information he can get to enable him to show that the charge preferred against him is not a correct one.

Mr. DEAKIN

(Ballarat - Attorney-General). - May I point out to the right honorable and learned member for East Sydney that he is not only conjuring up almost impossible cases, but I do not think that he has quite gathered the course of procedure which is to be adopted. I do not wish to refer to the procedure in New South Wales in regard to such cases, because I am not sufficiently well acquainted with it. But our own procedure in Victoria, so far, has been very satisfactory indeed.

Mr Reid

- Is the Victorian procedure adopted in this Bill?

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Mr DEAKIN

- Yes; the Victorian system, very much improved in the interests of the accused. There are honorable and learned members in this House who have practised before boards in Victoria, and who will say that these scrupulously independent boards, unacquainted as they are with any facts, except such as are officially laid before them, have adjudged in the case of civil servants almost invariably with great satisfaction.

Mr Reid

- To the man who has been dismissed as well 1

Mr DEAKIN

- Yes, so far as having a fair trial is concerned. There has been no difficulty in regard to the production of documents. We have placed in this measure a power which has been found almost invaluable in the interests of public servants, viz., the power of being represented by any attorney or agent.

Mr REID

- But the accused wants the evidence also.

Mr DEAKIN

- The accused's attorney or agent is perfectly competent to decide what papers are necessary for his case. It has been the practice in Victoria to place practically the whole of the papers before the attorney or agent.

Mr Watson

- It is not so provided here.

Mr DEAKIN

- I have not come to the procedure yet. I am only pointing out that on the whole the Victorian system has worked satisfactorily. But in this Bill we have greatly improved upon that system. Under its provisions we have an outside body appointed to constitute a special board of inquiry which knows nothing of any charges except those that are placed before it, and that board, consisting of honorable men, will refuse to know anything beyond such charges.

Mr Reid

- I want to put a case to the Attorney - General. Supposing that an accused is represented by counsel, and that the accuser in the person of the permanent head of the department is in the box under cross examination. If the accused wishes to ascertain the statements made in any confidential report in order to show malice and to prove that the permanent head had preferred another charge against him, which the Minister had refused to entertain, could not the witness in reply to a question, say - "I refuse to answer," or "I am not allowed to divulge the contents of a confidential report"?

Mr DEAKIN

- The Victorian practice in such cases has been that if any importance is attached to a document of that sort, application for it is made to the Minister, and in nineteen cases out of twenty the document is given. But under this Bill we have provided that each man upon his trial shall have a man chosen from his own division of the service as a member of the board of inquiry. The other two members of the board are

selected from the public service, and selected fairly. The man from the accused's own division of the service, who will, so to speak, judge him, is there to take care of the interests of the accused.

Mr Reid

- He cannot see these documents either.

Mr DEAKIN

- He sees everything that comes before 'the board. If he asks for more papers they are rarely refused. The board are allowed to see all the documents. We have also accepted the suggestion of the honorable member for Bland, and have inserted a provision to enable copies of the whole of the papers to be placed in the hands of the accused seven days before the inquiry.

Mr Reid

- That is all I ask.

Mr. DEAKIN. - Of course I mean all the papers except confidential papers.

Mr Reid

- Then they are not all the papers.

Mr DEAKIN

- There may be a case in which a confidential report is involved, and in which we could not permit the document to be brought forward. In such a case, however, the report would not influence the board. The board know nothing about it.

Mr O'Malley

- It implies that there is something behind.

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Mr DEAKIN

- Not at all. In a case, in which a confidential document is refused, that point is used with very good effect by the counsel representing the accused, just as the right honorable and learned member for East Sydney invariably does with a jury, when some piece of evidence which he has called for is refused him, and when he makes a mountain out of a molehill. In appealing to an independent board, the officer is perfectly safe. If the honorable member for Bland turns to the power for making regulations, he will find that the laying down of the procedure of the court and all the circumstances in connexion with the board of inquiry are provided for by regulation. Those regulations will be drawn, if the present Government remain in office, upon the most advanced lines in this regard, and care will be taken that absolute justice is insured in regard to the conduct of these inquiries by every reasonable latitude that can be allowed.

Our practice

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has been to give the board the powers of a court, and they practically obtain all the information they require.

Mr Watson

- In what way would an officer accused receive through his agent documents of a confidential character?

Mr DEAKIN

- Our practice has been that he gets them upon application. It is inherent in the nature of the case, but if there is any doubt it can be provided for by regulation. It has never been our custom to refuse any of these papers.

Mr Reid

- Even confidential papers?

Mr DEAKIN

- Except confidential papers; but that does not occur once in a hundred times.

Mr Higgins

- Are the judges allowed to see the documents?

Mr DEAKIN

- Yes, in every case that I have known of. I will not say there has not been a case of refusal, but I have never known of it.

Mr HIGGINS

- If the board can see the documents and the accused cannot, it will be unfair.

Mr DEAKIN

- I thought that the honorable member meant some confidential report that the accused person desired to have put in evidence, thinking that it might help him. If it is a confidential document it cannot be put in evidence ; but in these cases the court will be allowed to see the most confidential documents, although such documents could not be put in evidence. What I wish to point out to the honorable member for Bland is - I really think we are taking up more time over this matter than it deserves, although anything affecting the liberty or rights of a public servant merits the most careful consideration - that we have gone beyond anything that has been attempted under any other Public Service Act in any State. We have made the law more considerate in every manner possible, and if public servants are fairly dealt with now, they will be in a much better position under this measure.

Mr. ISAACS

(Indi). - I think this is a very important matter indeed, as it involves not only the thousands of servants now in the Commonwealth service, but all who come after them. The question thoroughly deserves the prominence given to it, but as far as I can see there is no ground whatever for alarm, and a very little consideration will show that to be so. An inquiry takes place under clause 40, sub-clause (4). The board of inquiry is the body to make the investigation, and is constituted of three persons, one of whom is the chairman, and any two of whom may exercise all the powers of the board. Now, if we take clause 10 of the Bill, under sub-clause (2) we find that it is provided that a chairman of any board of inquiry, under Part 3 of the Bill, shall, unless otherwise prescribed, have all the powers conferred on the commissioner or any inspector. When we turn to the first sub-clause we find that the commissioner and the inspectors, and therefore the chairman of the board, have power to summon any witness or to call for any official books, documents, or writings within the custody or control of any witness that may be material to the inquiry. That gives the amplest power to call for the production of every document of any kind whatever.

Mr Reid

- Even a confidential document 1

Mr ISAACS

- There is only one thing that could prevent the production of a confidential document, and that is an expression of the Minister's opinion that it would be detrimental to the interests of the public, and the position in that case would be just the same as in any ordinary civil or criminal trial. There the head of a department could be summoned to produce such a document, and the only tiling that would protect that document from being produced in court would be the exercise of the privilege of the Minister, who has the right to say that in his opinion it would be detrimental to the best interests of the public to have it produced in court. The committee surely would not put in this Bill any provision that would compel the production of any document, however inimical it might be to the interests of the public to produce it, and surely we can trust the Minister of the day to say whether the production of a document would be dangerous to the public interests. Unless the Minister is prepared to so certify - and the court would not be satisfied with any tiling else - it seems to me that there is ample power on the part of the board to compel the production of every document material to any inquiry.

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Mr O'MALLEY

- I think this is a very important question, and that the right honorable member for East Sydney deserves great commendation for having raised this point. Now, confidence is the parent of tyranny, and every Government rests in jealousy. If a confidential document were only seen by the one person and then hermetically sealed, there might be something in the position taken up by the Government. Generally, however, the person who has seen a confidential report winks at somebody else, and somebody else winks at a third person, and it gradually becomes bruited about that there is something in the document which, if it were only known, would put the man concerned in gaol. I have been through the mill myself and I know something about it, and I say that any man who puts his pen to paper about another man ought to be held responsible for it, and made to answer for it. If he does not, he is a sneaking coward who is working injury in the dark. I say, further, that no man ought to say in this House words that he will not say on the steps. I am prepared to act up to that. This is a serious matter, because some unfortunate officer may under a confidential report be charged with a very serious offence. If there is anything in such a document we should get at it, and if the right honorable gentleman will move in that direction he will have my support.

Mr. REID

(East Sydney).- The honorable and learned member for Indi has thrown a great deal more light on the Bill than has the Minister in charge of it, and I pay him the compliment of saying that he has placed the matter much more clearly before the committee than it appeared before. Furthermore, I recognise that the statement he has made improves the matter considerably, because I understand from the position taken up by the Attorney-General that a confidential document is privileged.

Mr Deakin

- Oh, no.

Mr Isaacs

- I think the Attorney-General put the same view as I did, only in other words.

Mr REID

- Then I must congratulate the honorable and learned member for Indi upon having put the matter so that some one else can understand it. Even the statement of the honorable member for Indi does not touch the point I am dealing with at all. What word is there in the Bill that enables an accused person to see the document produced by the head of the department to the court ? The document which may be placed before the court may be a confidential report to the Minister, and under what authority has the accused person the right to see that ?

Mr Isaacs

- He could compel the production of any document he pleases, subject to the one restriction I have mentioned.

Mr. REID. - May I say that the power of production of a document is not given to the man who is accused?

Mr Isaacs

- He can ask for its production if it is in his favour.

Mr REID

- Who is to judge whether it is in his favour? How will he have a chance of judging whether the document is in his favour or not ? I have been in the same official grooves as the honorable member, . and I have "also been in the civil service, and I can, therefore, look at the question from both points of view.

Mr Isaacs

- I also was in the service for many years. .

Mr REID

- I am glad to hear the honorable and learned member had that distinction ; but there is no service in the world in which, however high-minded and honorable they may be, two men start on equal terms if an under-secretary makes a charge against a subordinate. Where an under-secretary makes a charge against a subordinate we know the weight of the influence exerted by the man who sits at the right hand of the Minister compared with that attaching to the clerk downstairs. We are so perfect, all of us, sitting here ; but I know enough of the public service to know that there is nothing in the relations between the permanent head and the subordinate which makes it of less importance for that subordinate to know everything relating to the . charge against Mm than it would be under other circumstances. A man does start fair: in a court of justice, but he does not start fair where the issue is between himself and his under-secretary as to who is to go. Let us suppose the issue is whether the under-secretary is to go, for making a wrong charge against the officer, or whether the officer is to go. Do they start fair?

An Honorable Member. - But the board is an independent court.

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Mr REID

- I know that. Of course the board can do anything, but I am talking about the accused person before he goes into the inquiry, and his right to know everything that an official has written on official paper in the nature of a report with reference to him, and I say that the mere putting of the word " confidential " on that report ought not to protect the person who has brought the charge from the inspection of his accusation by the accused before the trial.

Mr Crouch

- Would the right honorable and learned member have the accused's papers produced 1

Mr REID

- I do not look upon official documents as private. Honorable members may depend upon it that all the official documents of the accused, all his writings to the head of his department that would tell against him, will be produced, and I ask why should anything written by the accusing officer against the accused be screened from the public gaze 1 I say that there is no fairness in it. It is bad enough for the accused officer to start as he does at a great disadvantage without making the position worse. It may turn out from the nature of a particular case - and it is no wild supposition - that a concealed confidential report might enable an accused person to show in black and white under the hand of his accuser that the charge is the product of malice or misunderstanding.

Mr Isaacs

- The honorable and learned member must assume that the Minister is in the conspiracy.

Mr REID

- Why should all the assumptions tend to deprive a man of the thing he has a right to see? We could assume that a Judge would be a fair jury to try people charged with criminal offences, but that does not answer the question of trial by jury; so I say in this particular case that it is a matter of common fairness that any confidential report affecting any particular officer should be shown to that man before he is tried.

Proposed new clause agreed to.

Amendment (by Sir William LINE' agreed to -

That the following new clause be inserted after clause 49: - "All officers off a department transferred to the Commonwealth, and all officers in the public, railway, or other service of a State so transferred, who, by any law of a State, had to contribute to a superannuation fund, or to insure their lives, shall continue to be liable to pay the sum imposed by such law into the Treasury, and to continue to keep up such insurance according to the provisions of such law."

Sir WILLIAM LYNE

- I move-

That the following new clause be inserted after clause 52 : - "Any officer of a department transferred to the Commonwealth and any person in the public, railway, or other service of a State so transferred, who has qualified to take any other position in the service of a State prior to such transfer, shall in the service of the Commonwealth retain all the rights to promotion he possessed in the service of the State at the time of such transfer. "

That clause has been drafted to deal with the cases of officers of a State who by passing examinations have become qualified to obtain certain positions in the service of that State. There has been some doubt as to whether such officers, if transferred to the Commonwealth, would retain that right where their appointment had not been actually made before the transference.

Mr. HUME

COOK (Bourke).- A certain number of men in the general division of the public service of Victoria passed an examination qualifying them for positions in the clerical division ; but they were not appointed to the clerical division prior to the transfer of their departments to the Commonwealth ; and, upon the matter being pointed out to the Attorney-General, the promise was made that a clause would be introduced to continue that right to them under the Commonwealth Government. Has this clause been drafted to meet that case ?

Sir WILLIAM LYNE

- Yes, to meet that case and some others. Some of the officers of, I think, the Telegraph department came to me yesterday and told me that they had passed examinations but had not been appointed to positions for which they had qualified, and this clause has been introduced to deal with their case and all similar cases- where rights have accrued in State departments through the passing of examinations.

Mr. CROUCH

(Corio).- May I suggest to the Minister that the clause which I have prepared, and which has been circulated with other proposed amendments, more fairly meets these cases

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I propose to insert after clause 51 the following new clause : -

If any officer has done any act or passed any examination by which he has under the law of any State the right to appointment or prior appointment to any division of the public service such right shall be conserved to him in the departments under this Act. "Officer" in this section shall include persons

permanently employed in the naval and military forces of the Commonwealth.

Under the clause which the Minister wishes to insert only the right to promotion is retained.

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Sir William Lyne

- I am willing to insert, after the word "promotion," the words "or transfer."

Mr CROUCH

- If the Minister does that, and alters the word " service " to " services " I think the clause will meet the case.

Sir WILLIAM LYNE

- I will do so.

Amendment amended accordingly, and agreed to.

Mr. CROUCH

(Corio).- I move-

That the following new clause be inserted after clause 21: - "All persons who have served for a period of not less than five years in the naval or military forces of the Commonwealth, or of a State, shall be entitled to be employed in the general division on fulfilling all requirements as to examination and insurance for persons entering such division, and such persons shall be entitled to be appointed to any vacancy which may occur therein in priority to all other persons whatsoever except persons already in the public service." The words " except persons already in the public service " have been put in at the suggestion of the Attorney-General. The clause only conserves rights which at present exist. It was found in Victoria that, although a good body of men could be obtained for actual military and naval service, it was impossible to build up reserves, and therefore the privilege which this clause retains was offered to all who served for a period of not less than five years in the naval or military forces of the State. As a result, there are now in the penal, lunacy, and other departments of Victoria a number of men who have qualified as artillerymen or in other branches of military duty, who, belonging to the reserves, in times of emergency, when the public service would be suspended, would be able to assist in the defence of their country against foreign invasion.

Sir William McMillan

- But is not a mandatory provision such as this rather extreme ?

Mr CROUCH

- The clause is an exact copy of a section of the Victorian Discipline and Defences Act, except that it has been modified as I have already explained. To show that it has been appreciated by those who have administered the public service, I may state that it was re-enacted in the Public Service Act of 1900.

Sir William McMillan

- What does the honorable and learned member mean by the words " shall be entitled to "?

Mr CROUCH

- Those words mean that these men shall have a prior right. They must pass an examination and comply with the insurance provisions of the Bill.

Mr BRUCE SMITH

- Should not the appointment be subject to the recommendation of the commissioner ?

Mr CROUCH

- Yes.

Sir William Lyne

- I object to the amendment, because it gives these men. a prior right to every one else.

Sir William McMillan

- The proposal is very drastic.

Mr CROUCH

- It is not so drastic but that it has been approved in Victoria for the last nineteen years.

Sir William McMillan

- Could not the honorable and learned member insert the words "as far as practicable "?

Mr CROUCH

- With the permission of the committee I will insert the words " as far as practicable " after the word " entitled " in line 5. I would point out that there is a similar provision in existence in New Zealand, and that

in Germany old soldiers are employed on the railways. The clause only preserves rights which already exist in Victoria, and in view of the provisions of section 54 of the Constitution Act, I think they should be preserved.

Mr. KIRWAN

(Western Australia).- I have no quarrel with the clause itself, but I think the wording ought to be in some respects altered. The clause is to the effect that all persons who have served for a period of not less than five years in the naval or military forces of the Commonwealth shall be given the priority suggested. No exception whatever is made in the clause to persons who have served their period in the naval or military forces, and who, at the end of the five years, or sometime subsequently, may be discharged for misconduct or some other discreditable reason. An exception ought to be made, and words inserted to the effect that men who have been discharged for misconduct should not come within the operation of the provision. As the clause reads now, it means that all persons who have served five years, irrespective of the reason for which they may have left the service, or how they conducted themselves in the service, would be entitled to priority in the matter of appointments. I suggest to the Minister, and I am sure he will accept the suggestion, that the clause ought to be altered with a view to excepting persons discharged from the service for misconduct.

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Mr McCOLL

- I would like to know when any members of the general public are going to get a chance of a position under the Commonwealth 1 We have already opened the service by giving priority to officers in every department of the various States. This is a practice which has never obtained before, where the railways and other services are kept separate from the ordinary public service. We now propose that any one who chooses to serve five years in the ranks in any capacity whatever, shall have the right of entrance into the Commonwealth service. I understood the Commonwealth service was to be a service open to the smartest and most brilliant young men we have. How are the farmers' sons and the smart lads throughout the Commonwealth going to get a chance if we hedge round the entrance to the Commonwealth service with all these provisions 1 It seems to me we are discounting the future to far too great an extent, and I certainly think this is not a clause we ought to accept. We should have left ourselves much freer than we have done in regard to the selection of men. It seems to me that we are going utterly too far by binding the Commonwealth as to the class and kind of men we are going to take into the public service.

Mr. MAUGER

(Melbourne Ports).- It seems to me that the honorable member for Echuca should take the opposite view if he wants to help the farmers' sons, who have shown their anxiety to do what they conceive to be right - that is, they have fought for the country in a way that commends itself to most people of the Commonwealth.

Mr McColl

- They have no chance for the Commonwealth service.

Mr MAUGER

- I differ from the honorable member. These men have a greater chance, because there are not the same number of other attractions outside the city. Surely if we mean anything by the praise we have been uttering in regard to these men, we should show our appreciation of their conduct in some practical way. It seems to me exceedingly wise and right that the men who have done the State service, and are still prepared to do the State service, should have any opportunity the Commonwealth has to offer them in the public service.

Mr. KIRWAN

(Western Australia).With the consent of the mover of the new clause, I move - '

That the clause be amended by inserting after the word "State," line 4, the words "and who have not been discharged for discreditable conduct."

Sir EDWARD BRADDON

- I understand that some exception is taken,, and not unnaturally, to the words which, the honorable member who has moved this new clause seeks to introduce, viz., the words "as far as practicable." He might have worded the clause to the effect that such persons should be entitled to priority of appointment to any vacancy.

Sir William Lyne

- That is what I object to - the priority.

Sir EDWARD BRADDON

- Of course, if the Minister takes exception to the principle of the clause, there is an end of the matter. J
Mr Crouch

- The Minister has not done that.

Sir EDWARD BRADDON

- But it is only intended to say that the man who has served in the naval or military forces shall be entitled by reason of that service to priority of claim to an appointment.

Mr Crouch

- On passing the examination and assuring his life.

Sir EDWARD BRADDON

- Yes ; all that has gone before being taken into consideration.

Sir WILLIAM LYNE

- What I object to in the clause is that it places the Defence department over other, departments which have been allowed to come in under the Bill. For instance, preference would be given to the officers of the Harbor Trust and perhaps -some other departments whom we have agreed to allow to come in, on passing the examination. The clause seems to provide that if these men have served five years, they shall be entitled to priority. There is something in the statement made by the member for Western Australia, Mr. Kirwan, that a man who has served that time would, as the clause is worded, be entitled to priority, although he may have been discharged for misconduct.

Mr Crouch

- I have accepted the amendment suggested by the honorable member for Western Australia, Mr. Kirwan.

Sir WILLIAM LYNE

- Then there are the lines : -

And such persons shall be entitled to be appointed to any vacancy -which may occur therein in priority to all other persons whatsoever, except persons already in the public service.

Mr Crouch

- These words are in the Victorian Act.

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Sir WILLIAM LYNE

- I know they are not in the Act of New South Wales.

The servants of the Harbor Trust in New South Wales are not under the public service board, and they would certainly not have the same right that the men contemplated in the proposed new clause would have. I am prepared to allow these officers to come in on exactly the same basis as all the others - to take their chance on passing the examination and effecting assurance of being selected, as many of them would probably be, for any position which might offer.

Mr Crouch

- But there is no selecting ; that has been done away with.

Sir WILLIAM LYNE

- I do not mean selection, but passing the examination and qualifying themselves.

Mr Crouch

- They cannot be stopped from doing that.

Sir WILLIAM LYNE

- The honorable member must not forget that this proposed new clause is very far-reaching. If every rifle club and every 'partially paid force in the States are considered, I do not know how many thousands of men there would be.

Mr Reid

- The volunteer would have no advantage over the man who had been paid for his services in the regular forces.

Minister for Home Affairs

Sir WILL [AM LYNE

- I do not know how many men there are in the Defence department, but there must be a large number, I

should think 10,000 or 15,000.

Sir John Forrest

- 51,000.

Sir WILLIAM LYNE

- It is proposed to give all those men priority over every one else, except those in the public service technically, which would mean those under the public service commissioner in a particular State.

Sir George Turner

- They would take priority over the whole of the States. The public service means " the public service of the Commonwealth."

Sir WILLIAM LYNE

- That is worse still.

Sir George Turner

- Of course it is.

Sir WILLIAM LYNE

- I think the honorable member for Corio will see that it is impossible for me to accept the proposed new clause.

Mr POYNTON

- I would like to point out, in reply to the honorable member for Echuca, that this clause goes very much further than anything we have done in connexion with the Bill.' All we did in connexion with the railway and other services was to make the persons engaged therein eligible, and to protect their rights and accruing rights. This clause goes much further, and gives the men in the naval and military forces a first preference over all the other services. That, I think, is going a bit too far.

Mr. CROUCH

(Corio).- I can see the committee are ready to accept this clause if certain amendments are made. The objections are not at all to the principle of the clause, because J. can hardly understand any body of intelligent men objecting to create a reserve such as is absolutely necessary in a State like Australia.

Sir William McMillan

- Does the honorable member mean that if a man has served five years as an ordinary volunteer he will come under this clause 1

Mr CROUCH

- I do not see why he should not have the preference 1

Sir William McMillan

- There "must be thousands of them.

Sir William Lyne

- The Minister for Defence says there are 51,000 men who would be affected

Mr CROUCH

- The honorable member for Wentworth seems to think that the fact of a man being a volunteer is an argument against his coming under the clause, when really it should rather be an argument in his favour.

Sir William McMillan

- I hope that every citizen will be a volunteer.

Mr CROUCH

- The fact of a man having been a volunteer should be used rather as an argument why his claim should be considered in 1)reference to that of any one else. In order to meet the objection of the honorable member for South Australia, Mr. Poynton, which I see is a forcible one, I am prepared to alter the clause by substituting for " public service" the words - "In the public railway and other services of the State." That will be quite sufficient to continue the preference already given to those other public servants. All the objections to the clause have been objections to detail and not to the clause itself.

Mr Poynton

- Will the honorable gentleman agree to strike out the word " priority V

Mr CROUCH

- There would then be nothing in the clause at all.

Sir William Lyne

- Why should we place these men above the ordinary public in a matter of this kind 1

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Mr CROUCH

- Simply because it would be a wise thing, as I attempted to point out, to have among the clerical employees of the State men upon whom the country could call in times of emergency.

Mr Reid

- Why does not the honorable member propose at once that all public servants should be compelled to serve in the naval or military forces ? He might just as well do that as make this proposal.

Mr CROUCH

- If the leader of the Opposition would, at the proper time, when the Defence Bill is before the House, make such a proposal, I should be very glad to support it. At the present time I must have regard to the possibility that such a proposal might not be carried.

Mr Reid

- Does the honorable member mean that a man who has been paid for every day he has served in the military forces - the regular military forces - shall be put in the same position of advantage as a man who has given his services as a volunteer for nothing ?

Mr CROUCH

- Yes.

Mr Reid

- I do not see any fairness in that.

Mr CROUCH

- The reason is that there would be these trained men whom we want to keep in the public service, so that we can lay our hands on them when public affairs are disorganized by war. There would then be no necessity to carry on the public service, and these men could be sent to the front when we want highly trained military men ready to defend the State. I propose to amend the clause in the direction already indicated by me.

Mr Mauger

- Would the Harbor Trust and fire brigades men be included ?

Mr Reid

- The fire brigades men incur more danger than do some of the others.

Mr CROUCH

- I also propose to accept the amendment to the clause suggested by the honorable member for Western Australia, Mr. Kirwan, and after the word " State," to insert the words " who have not been discharged for misconduct."

Mr McCay

- How can a man be appointed " as far as practicable " ?

Mr. REID

(East Sydney). - I think this would be a very good place at which to test the sense of the committee upon the whole clause. It is of no use to make a number of amendments in a clause if we propose afterwards to negative it. I propose to vote against the entire clause.

Sir George Turner

- Would it not be better to move to omit the first words of the clause ?

Mr REID

- Yes ; and if the committee are in favour of the amendment of the honorable member for Kalgoorlie, we can then proceed with any subsequent amendments that it may be necessary to make. But otherwise it is of no use wasting time.

Mr Crouch

- I will not proceed further if my amendment is defeated.

Mr.- REID.

- But to press that amendment at this stage puts us in a false position, by making it appear that we are opposed to disgraceful conduct being regarded as a bar. If the honorable member for Kalgoorlie will withdraw his amendment, I will make this question a test one. I move - That the words "all persons," line], be omitted.

I will not repeat the objections that have been already mentioned, but I would point out to the honorable member for Corio that, to be fair all round, this clause ought to date from a future day. Every one should know the advantages which attach to naval or, military service in the States. At the present time there is only one State - Victoria - in which military or naval service is thus recognised. Consequently large numbers of men may have joined the naval and military forces in Victoria with the knowledge that they would have this privilege conferred upon them after five years. But in the other States, where the privilege does not exist, men will be shut out by reason of the priority that is being given in Victoria.

Sir George Turner

- They will all have the same priority.

Mr REID

- I quite see that the volunteers who have served in New South Wales will be on the same footing as the volunteers who have served in Victoria. But in Victoria a large number may have joined the volunteer forces with the intention of getting this, privilege, while a large number would have joined the New South Wales forces five years ago if they had known that this priority would be given to them.

Mr. -Crouch.

- How does the right honorable and learned member propose to preserve their rights ?

Mr REID

- They are not deprived of their rights. Their right was not to serve in the Commonwealth, but to serve in the Victorian military service.

Mr Crouch

- We have taken away three of their departments.

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Mr REID

- I do not suppose that they are very sorry for it. Is it not altogether wrong to make any distinction between a man who is in the permanent force at 5s. or 6s. a day, and the volunteer who serves his country for nothing ? Surely we should not put them on the same footing as regards priority. Certainly I would not do so.

Mr Crouch

-I propose to withdraw the clause and to bring the matter up at a later stage.

Mr REID

- Then I will withdraw the amendment.

Sir WILLIAM McMILLAN

- Before the amendment is withdrawn I should like to say that the objection which I have to this clause is the same one that I have taken to several parts of the Bill - viz., that it is an attempt to unduly restrict the choice of the commissioner. This Bill is not intended for a State, but for the whole of Australia, and it might be very difficult in different parts of Australia - if these hard-and-fast rules were laid down - to get proper persons for particular positions. At first we ought not to make the Bill drastic by confining the choice to too close limits.

Amendments and new clause, by leave, withdrawn.

Mr. HUME

COOK (Bourke).- I desire to move a new clause which raises rather an important question. The Bill now contains almost every provision that it should contain, with one very notable exception. There is no appeal machinery of any kind in it. There are provisions - very wise and proper ones - for the holding of inquiries.

Sir William Lyne

- Where does the honorable member propose that this clause shall come in?

Mr HUME COOK

- It is immaterial to me where it is put in. I should say that it ought to follow the clauses dealing with inquiry boards. But I am simply asking for a principle. I move that the following stand a new clause in the Bill : -
. If an officer feels aggrieved by any decision of the permanent head refusing to recommend the granting of a higher rate of pay to any officer claiming to be legally eligible therefor or any officer's promotion or transfer, he may within 28 days thereafter appeal against such refusal to an appeal board consisting of the inspector the permanent head or chief officer and a representative of the division to which such officer

belongs and elected by the officers of that division under the regulations.

The appeal board thus constituted shall investigate any such appeal and shall report upon the same and submit the facts together with any recommendation thereon to the commissioner whose decision shall be final.

Mr BRUCE SMITH

- Does the honorable member refer to one officer who feels aggrieved at the treatment of another officer ?

Mr Piesse

- I rise to a point of order. I do not know if the honorable member for Bourke is in order in anticipating the order in which notice of amendments has been given.

The CHAIRMAN

- I would point out that there is nothing in the standing orders to prevent any honorable member proposing a new clause at any time, that he may think 'proper. The honorable member for Bourke has certainly placed his notice upon a paper ; but not upon the business paper of the House, and his new clause is not to be treated as if it appeared upon that business paper. The honorable member is, therefore, in order in bringing forward his clause when he may think it proper to do so.

Mr BRUCE SMITH

- Does the honorable member for Bourke refer to a case in which one officer takes exception to the treatment by another officer of himself, because, as the clause is worded, it looks as if officer A is going to champion the cause of officer B.

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Mr HUME COOK

- I wish to point out again that there is no right of appeal provided in this Bill for any officer who feels aggrieved by reason of being passed over and not getting the place to which he thinks he is entitled. Under these circumstances it seems to me that some sort of appeal board must be constituted. Otherwise the Bill is as perfect as we can make it, and is certainly a great advance upon any public service legislation that we have seen enacted in 'other States. But it lacks that saving clause whereby officers who feel aggrieved may take action to have their grievances remedied. Very adequate provision has been made for boards of inquiry. If an officer has a charge made against him it can be remitted to a board upon which there is a representative elected from that division of the service to which the accused belongs. But what right has an officer with no charge against him, but who desires to make a charge against a permanent head ? It seems to me that officers ought to have a general right of appeal. Under these circumstances I have framed a clause which runs along the same lines as the clause providing for inquiry boards, and which gives to an officer the right of appeal to a board upon which there shall be a man representing the particular division of the service to which he belongs.

Some objections have been made to the proposed method of constituting the board. I do not know that these are vital objections, but possibly they may be, owing to the way in which the clause is drawn. The first objection was that this clause would require that any particular division of the service should elect an officer for all Australia ; that is to say, that the clerical division could have only one man to represent the whole of Australia on the appeal board. That certainly is not what I intended, because I think that each State should have its own appeal board, and that each division- in the State should have its representative on the board. That is to say, that the Customs department of Victoria would have its own board of appeal, and the officers of each division would have a representative on the board. ' That would be following exactly along the lines of the board of inquiry, constituted under clause 10. The wording of my clause may not have that effect, but that is what is intended. Then it has also been urged that there is no machinery for the election of these officers. I propose to get over that difficulty by providing that they shall be elected under regulations. I do not desire to cumber the Bill with a number of clauses which will provide machinery under which the officers shall be elected, and as to the voting, and so on. it seems to me that it will be much easier to draft regulations, just as it is proposed to draft regulations for the inquiry board. There are three sets of persons represented on the board. First of all there will be the inspector, who would, so to speak, represent the Government of the Commonwealth. Then there -would be the chief officer, or it might be the permanent head - whichever is the more convenient - who would act for the department in which the appeal, case arises, and who would put forward the departmental views, and urge whatever reasons he might have in support of the promotion or transfer as against the appeal of the

man who feels aggrieved. Then there would be the officer elected by the division who would represent the appellant, and who would understand his case and know all the facts surrounding it, and just because he would be so very familiar with the internal workings of the division he would be able to properly represent his client's case to the other two members of the appeal board. I do not propose to give this appeal board the power to deal finally with the questions coming before them. These must be sent on to the commissioner, who would have the inspectors to aid and advise him in coming to a decision. I repeat that I am not particularly wedded to this proposal as it is now worded, but I think some provision must be made in the Bill whereby appeals can be heard from those who feel aggrieved. I may point out in support of this proposal that it is practically along the lines of the system adopted in South Australia. There they have two persons appointed by the Government acting for the Government and one man elected by the division of the service to which the officer making the appeal belongs. Appeals can be made to this board under such circumstances as I have detailed. I do not see how officers are to substantiate their cases unless there is some right of appeal. We have adopted, and wisely too throughout this Bill the principle that merit shall have the first call upon the service of the Commonwealth.

Sir William Lyne

- Does not the honorable member think this amendment will destroy that ?

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Mr HUME COOK

- No; we have decided that merit shall have the first claim, but we have inserted a provision that where a junior officer is appointed the commissioner must first certify that there is no senior officer equally capable of performing the duties and available for the purpose. It may be that even with that provision, wise as it is, some man may be pissed over who feels, and perhaps rightly so, that he has been improperly treated, that he has a right to promotion, or a right to increased pay, or a right to be transferred, which will not be supported by the permanent head or the commissioner. Under these circumstances, the officer ought to have the right of appealing to somebody, and I think the proper person to deal with the question is the commissioner in the last resource. I do not desire to labour this matter, but honorable members will see that this Bill cannot be considered complete without some right of appeal, which will give servants the right to fight out their own battles when they feel aggrieved - when they do not get the treatment they consider they ought to receive, or do not receive transfers or promotions to which they consider they are entitled. I therefore beg to submit the clause, and ask for the support of all those honorable members who approve of the principle of appeal, hoping that they will assist me to make the clause effective, if they consider its present wording faulty.

Sir WILLIAM LYNE

- Without delaying the committee at any length, I would point out to the honorable member who has moved this new clause, that when he drafted it the Bill was in a very different form from that in which it now appears. It was at first provided that the permanent head should make the recommendation, but now it is the commissioner who makes the recommendation to the Governor-General, in cases such as this clause would attempt to vary.

Mr HUME COOK

- After report from the permanent head.

Sir WILLIAM LYNE

- Yes; after report from the permanent head. Therefore, the effect of this clause would be to provide for an appeal from the commissioner to the commissioner, because the honorable member says he wishes the board to hold an inquiry and report the result to the commissioner, leaving the commissioner in a position to say what he will do afterwards. As the Bill is altered, there is not the necessity for this clause, which there might have been. I admit that there is something in the statement that an appeal is provided for in South Australia from the decision, not of the commissioners, because I do not think there are any commissioners there, but of the Minister or the head of the department. In that instance, there is no commissioner who can take into consideration everything surrounding a case as there will be under this Act, so that the same necessity does not exist for a board of appeal under the conditions contemplated by this Bill. I wish to point out, too, that in the case the honorable member refers to in connexion with the railways in Victoria there is an appeal board, composed of departmental officers, and one officer elected by the men. I copied that to some extent, and we passed an Act in New South Wales constituting an

appeal board of a similar character in connexion with the railway service there. The appeal in that case is from the decision of the railway commissioners which is hedged round with everything to protect it. That is not provided with regard to the commissioner under this Bill. I do not think that any grave injustice can be done to officers when the commissioner has to obtain a report and then to make a recommendation to the Governor-General before any matter is decided.

Mr HUME COOK

- It is because the Governor-General really makes the appointment that I have limited the appeal to the commissioner.

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Sir WILLIAM LYNE

- The Governor-General makes the appointment, but in 99 cases out of 100 the report of the commissioner practically controls the matter. That has been my experience in the past, and no doubt it will be the same under this Bill. An attempt has been made under this measure to clothe the commissioner with very considerable powers, which I have agreed to mainly with the object of placing him in a position to make appointments. The provision that recommendations are to be sent on to the Governor-General is intended to give the right to the Governor-General - that is practically the Ministry - to exercise the ultimate control, but that is a power which will be exercised only in extreme cases, and it is hedged round with provisions that anything that may be done contrary to the recommendation of the commissioner, shall be reported to Parliament. I think that there is no danger whatever to be apprehended so far as the public servants are concerned, and as this clause will only provide for an appeal from the commissioner to the commissioner, I hope the honorable member will not press it.

Sir WILLIAM

McMILLAN (Wentworth). - I hope the honorable member will withdraw the clause. I do not think there is any analogy between a question of pay and a wrong being done to a public servant, or an inquiry being held into the conduct of an officer. Furthermore, as the Minister has said, we have so drastically altered the whole position of the commissioner, that he is now practically the guardian of the public service, and cannot be in any way inimical to its interests. He must see the position of every servant and the salary he is getting, and he must know that certain men have remained at a given salary for some time, and it would be ridiculous to appoint a commissioner upon the supposition that he would not make inquiries into all such cases, and find out why a man has been stationary, and why he has not obtained reasonable promotion. It seems contrary to the principle of the Bill that there should be any provision such as is now suggested by the honorable member, and I hope he will withdraw it.

Mr. EWING (Richmond). - I think the clause proposed by the honorable member for Bourke is a very laudable effort to get away from the possible consequences of departmental neglect. Anyone who knows anything as to the working of the State departments knows that there is such a thing as departmental neglect, and, although we do not want to overload the Bill, we want to make it a fair measure. The honorable member for Bourke proposes to eventually trust the commissioner, but we might get over the difficulty possibly by trusting the commissioner in the first instance, and I would suggest, if the Government would approve of it, that all the words after the word appeal, in line 5, should be struck out, and the words " directly to the commissioner," should be substituted. The honorable member for Wentworth may think that it has no value.

Sir William McMillan

- That would destroy the whole discipline of the service.

Mr EWING

- I do not know that it would. If the honorable member was an officer of a department, and considered that he was not getting that which he ought to obtain, he would not feel as he does to-night.

Sir William McMillan

- That means that the commissioner does not know his business.

Mr EWING

- I could quite understand a number of papers reaching the commissioner that disclosed a very fair departmental case. The officer recommended for promotion would be perfectly satisfied, but the man over whose head he was to be promoted should be allowed an opportunity of appealing and stating his case. I cannot see any objection to it. Why should not the officer aggrieved have the right of appeal ? I do not

desire to overlay the public service with courts of inquiry and things of that kind, but I think my proposal is a reasonable one.

Mr. McCAY

(Corinella). - The suggestion made by the honorable member for Richmond is hardly possible, because the amendment put forward by the honorable member for Bourke appears to have been drawn up before the commissioner was practically substituted as the recommending party in lieu of the permanent head. As a matter of fact as the Bill now stands, it is the commissioner who recommends the granting of a higher rate of pay, and who recommends promotions and transfers. Thus to say that if an officer feels aggrieved at any decision of the permanent head he should have the right of appeal would be useless because the permanent head does not do it now. The word "commissioner" would have to be substituted for "permanent head" in the first line of the amendment by the honorable member for Bourke. Then the suggestion of the honorable member for Richmond would be that if an officer felt aggrieved by the decision of the commissioner he should have the right of appeal to the commissioner.

Sir William McMillan

-From Caesar to Caesar.

Mr McCay

- As the Bill now stands it is impossible to substitute the commissioner for the board, because it is not the recommending party. I do not know whether that fact would influence the honorable member for Bourke in regard to his amendment.

Mr. SALMON

(Laanecoorie). - I should like to point out that if this clause is adopted we shall have a perfect sheaf of appeals on the occasion of every promotion or transfer.

Sir William McMillan

- And it would take half-a-dozen boards to hear them.

Mr SALMON

- I am quite in favour of having some tribunal to which officers who feel aggrieved may appeal. I could only support that proposal, however, with a proviso that some penalty should attach to appeals which have no foundation.

Sir Edward Braddon

- Frivolous appeals.

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Mr SALMON

- Yes. We should have the same kind of penalty as is provided in the case of an owner of a race-horse, who appeals frivolously against the horse first past the post. In order that we may have an effective and contented public service I think we must have some tribunal to which an officer who feels aggrieved may be able to appeal, but subject to the conditions I have stated.

Mr. HUME

COOK (Bourke). - I do not wish to force this clause, but I do desire to force the issue of the question of the right of appeal. If the Minister in charge of the Bill thinks there should be some tribunal to which officers feeling aggrieved might appeal, I will be very glad to temporarily withdraw the clause so as to hear what the Ministerial proposal is. There must be some kind of appeal. It is utterly impossible to conceive of a service where no right of appeal exists for aggrieved officers, more particularly when we have taken care to enable junior men to be promoted wherever it will benefit the service. I feel very warm about this subject. Many a good man may be passed over because he is not known to the permanent head, who makes the recommendation to the commissioner. Such a man might be exceedingly good, and efficient and equal to the senior man who received the appointment.

Sir William Lyne

- Would it not be better in cases like that for the individual aggrieved to approach the commissioner ?

Mr Reid

- Can he not do so at the present time?

Sir William Lyne

- He certainly can.

Sir William McMillan

- The commissioner is the guardian of the rights of the civil servants, and they will have a perfect right to approach him.

Mr EWING

- It would be a breach of departmental discipline for an officer to do so.

Mr Reid

- He could do so through the under-secretary. . Mr. HUME COOK.- There is no provision in clause 71 by which officers feeling aggrieved may appeal to any one.

Sir WILLIAM LYNE

- McMillan. - Perhaps on the recommitment of the Bill there may be something put in.

Mr HUME COOK

- It may seem a very trivial matter to the honorable member for Wentworth. but there are between 11,000 and 12,000 persons in the service of the Commonwealth, all of whom might at some time feel aggrieved, and they ought to have the right of appeal.

Sir William Lyne

- Under this provision we might have half-a-dozen appeal boards sitting at the same time.

Mr HUME COOK

- We might have two or three. I desire to see the representation of the service on the appeal board, just as we have in the railway service at the present time.

Mr Salmon

- And just as we have provided in another portion of the Bill.

Mr HUME COOK

- It is quite evident that this proposal as it is laid down cannot be accepted by the committee. I should like, however, to receive some assurance from the Minister for Home Affairs that he will look into the matter before the third reading, and see if it is not possible to do something in the direction I have indicated which would be satisfactory to the service.

Sir WILLIAM LYNE

- I am prepared to go so far as this. If, as the honorable member for Richmond has said, it would be a breach of discipline for an officer who thought he was overlooked to approach the commissioner, I shall be quite prepared to put some provision in the Bill that it shall not be a breach of the rules for an officer feeling himself aggrieved to make his representations to the commissioner before the latter has forwarded his recommendation to the Governor-General. I do not think that would be a breach of the regulations at present. At all events I think it could be provided for by regulations under clause 71.

Mr BRUCE SMITH

- Would not the adoption of the honorable member's suggestion simply mean an appeal from the commissioner to the commissioner ?

Sir WILLIAM LYNE

- Yes. There may be a man, however, who thinks that he has been overlooked by the permanent head in making his recommendation to the commissioner, and I do not see why he should not have the right to lay his representations before the commissioner. The whole matter would then rest with the commissioner.

Mr. ISAACS

(Indi).- I think we ought to divide this matter into more than one head. As regards advances of pay in subdivisions where the increase is not automatic, I do not think there would be much difficulty in obtaining something like an appeal from the decision of the permanent head, or whoever it may be, in refusing to report favorably upon it. Where an officer thought he was fairly entitled to have a favorable recommendation, after asking his permanent head, or the person in charge to whom the duty was committed of making a report, he might without any difficulty in practical administration have an opportunity of appealing to the commissioner.. But I see in cases of promotion in a vast service a great deal of practical difficulty. Suppose some vacancy occurs, and it is proposed to fill it up by promotion, the commissioner calls upon the permanent head for a report. The latter is to consider everything and make a report. Is the permanent head at that stage to invite every officer in the service to make his claim to him ? If that is to be done, there will be great difficulty.

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Mr HUME COOK

- - Every vacancy is notified, and every man has a right to apply for it..

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Mr ISAACS

- But is the permanent head to inform every man who applies for it that he must come in and make good his claim, because, as I would point out, the difficulty does not arise till he has determined upon recommending a certain individual. When he has arrived at that stage, is he to hold his hand and not report till every one has had a chance of appealing. Then the commissioner, after receiving the report, can judge for himself what recommendations he will make. Is it at that juncture that this is to take place? Then the Governor in Council is to consider whether he should adopt the report. I should like to see an opportunity of correcting injustices, but I observe practical difficulties in regard to promotion. The chance of an improper recommendation is minimized because the case of a senior officer being passed over for a junior could hardly take place without the fullest opportunity of the injustice being corrected. To clause 3S a proviso is now added that in every instance where a junior is recommended the certificate of the commissioner has first to be issued certifying that there is no senior officer capable of satisfactorily performing the duties. Before he can make that certificate he must inquire carefully, and practically he will have to give every senior officer an opportunity of demonstrating his capacity. That being so, the greatest danger of .all is removed, and having in view the practical difficulty of working the departments with perfection of appeal we might very well take the position as it is. In regard to the pa)', however, where it depends not on competition but on personal merit, I think the Minister might very well see his way clear to adopt the idea of my honorable friend, and allow the appeal from the refusal of the permanent head to the commissioner.

Mr. RONALD

(Southern Melbourne). It is highly desirable that there shall be some court of appeal for cases in which a man feels aggrieved, and I cannot understand what objection there can be to a board on which the man will be represented. The proposal of the Minister is altogether inadequate to meet the case, because it is simply an appeal from Caesar to Caesar the commissioner being the originating source, and it is not likely that, if the originating source were the permanent head, the commissioner would override his recommendation. If he did so, then the man who is aggrieved should have the right to a board on which his class is represented. It is of vital importance, and I am perfectly sure no man will feel he has received justice unless he has such an appeal board. We have granted an inquiry board in other cases, and if so, why not in this, seeing that all the men are on the same plane? I hope the committee will see its way to grant a board, and thus complete an excellent organization for securing the rights of the public servants, and making the public service as efficient as possible.

Mr. PIESSE

(Tasmania). - I hope the Minister will provide that officers who desire to make a complaint or seek promotion shall be told by regulation that they are to approach their permanent officer or chief officer or the commissioner. The regulations should be so framed that officers of the public service will know that they ought not to go outside those channels in order to secure their end. If such a regulation can be framed and carried out, one of the great objects which we desire will to some extent be attained. Members of Parliament will be free from the applications now made to them, on behalf of public servants, and the honorable member who moved in this matter has done good service in removing the possibility of honorable members being approached as they now are to ventilate personal grievances. But I think the object might be attained if the Ministry would frame, or take power to frame, regulations to provide for an appeal in the direction proposed. I do not know that the present proposal would work out very well, but in some such way the object might be attained.

Mr. HUME

COOK (Bourke). - Perhaps time will be saved if I withdraw my proposal temporarily, and wait until we have the promised proposal of the Minister. I beg leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Mr. PIESSE

(Tasmania). - I move -

That the following new clause be inserted after clause 31 : - " (1) The Governor-General may arrange with

the Governor in Council of any State for the performance by an officer in the public service of Such State for the Government of the Commonwealth of any work or services, or for executing the duties of any office in the public service of the Commonwealth. "(2) In any such case the Governor-General may, by agreement with the Governor in Council of the State or otherwise, make arrangements for determining the rate of payment to be made by the Government of the Commonwealth for the services to be performed or the work done for the Commonwealth by such officer; and any matters which may require to be adjusted with regard to the performance of such duties or execution of such work by such officer."

In the part of the Bill where it is proposed to introduce this new clause there are clauses 32 and 33 dealing with the same subject, but they refer to officers of the Commonwealth performing duties for the Government of a State. There is apparently no provision in the Bill enabling the Governor-General to arrange for the performance of duties of the Commonwealth by officers of a State, and it is necessary that some provision should be made.

Amendment agreed to.

Amendment (by Mr. Piesse) agreed to -

That the following new clause be inserted after clause 33 : - "In all cases coming under the last four preceding sections the Governor-General may by agreement with the Governor in Council of the State concerned or otherwise make arrangements for determining in respect of any officer so employed on behalf of the Commonwealth and of a State the respective shares of each Government in any pension-retiring allowance or allowance to dependents which may become payable either under the laws of the State or of the Commonwealth in respect to such officer."

Mr. HUME

COOK (Bourke).- I move-

That the following new clause be inserted after clause 20 : - "Notwithstanding anything contained in this Act or any regulation where an officer in the fifth class has been for three years at the maximum salary of £160 per annum, he may be paid a long service increment at the rate -

Of £20 per annum, and after he has been in receipt of such long-service increment for a period of five years he may be paid a further long-service increment at the rate of £20 per annum.

Where an officer in the fourth class has been for five years at the maximum salary of £285 he may be paid a long service increment at the rate of £15 per annum

Where any person in the professional division or general division the rate of whose pay exceeds £156 per annum has been at the maximum of his class or grade for a period of three years or more he may be paid a long-service increment at the rate of £5 per cent, per annum upon such maximum, and when he has been in receipt thereof for a further period of three years he may be paid a further long-service increment of £5 per cent, per annum on such maximum.

No long-service increment shall be so paid unless recommended by the permanent head for merit and good and diligent conduct and approved by the commissioner, but the commissioner may on appeal of such officer or person grant such increment although the same has not been so recommended."

The Minister has adopted as a schedule of the pay which the officers in the Commonwealth service are to receive, the schedule under the Victorian Act known as No. 1721. All the salaries provided in that Act are adopted in the Bill, with the exception of a provision for the payment of long-service increments. I have copied section 9 of the Victorian Act almost word for word, but it is only fair to state that in regard to these long-service increments in the professional or general division, some alteration has been made. When the Victorian Act was passed, it was specifically stated that those in the general division would get a long-service increment, but owing to some quibble over the words "salary" and "officer," men in the general division have not been paid, and are not likely to receive, a long-service increment. In order to provide a long-service increment for those in the general division, as well as for those in the clerical division of the Commonwealth service, I have inserted sub-clause (3), merely with the object of carrying out the letter and spirit of the Victorian Act. As to the principle of long-service increments, I desire to again draw attention to the fact that merit has been made the chief standard of promotion in the Commonwealth service. Men who display conspicuous ability and diligence, whether they are juniors or seniors, will get advancement very much more rapidly than they would under any conditions we have known in any State

service. But there are always a number of men who, whilst displaying no conspicuous ability, are steady, sober, diligent officers, and attend punctually and do the work they are set to do, and who, if they were employed in any outside business, would have their long service recognised by their employers. By the introduction of the merit principle, these men will not get the increments which, under the old system of automatic advancement, they would have received. We have knocked out automatic increases absolutely.

Sir Edward Braddon

- And a good thing too.

Mr HUME COOK

- And a good thing too. At the same time, those who have served a number of years are entitled to some recognition of faithful and diligent service. I am more concerned about the general division than I am about the clerical division. In the clerical division men can reach a reasonable salary, up to as much as £500, and have good opportunities of improving their position by meritorious service. But the case of the general division is very different. The men in that division are not to get anything like the same return for their labour. It is true we have adopted a minimum wage of £110 when a man reaches the age of 21 years, but the highest salary to which a man can attain in the general division at the end of a long period of service may not be very much. Under these circumstances I feel that something ought to be done to recognise men who have faithfully and diligently carried on their work for years, and I appeal to the Minister to adopt the new clause. So far as I have been able to ascertain, after consultation with a good many of the public service associations, some of which are federal, the schedule to the Bill will give every satisfaction. This particular proposal has been submitted to the associations of New South Wales, South Australia, and Victoria, and they all approve of it.

Sir William LYNE

- I should think they do.

Sir Edward BRADDON

- There is a wonderful "unanimity."

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Mr HUME COOK

- Naturally the associations approve of the schedule. What I meant to convey was that they approved of the schedule as a whole, and not merely this particular provision. The salaries to be paid under the schedule are not nearly so high in many instances as those which used to be paid under the old Victorian Public Service Act, and such as are paid in the other States. The salaries under the Commonwealth are somewhat lower on the general average than those which have been paid in past times, but the associations are prepared to accept these salaries without demur, provided they get some recognition for long service in the shape of such increments as are here suggested.

Sir EDWARD

BRADDON (Tasmania). - I am entirely in favour of paying the civil servants of the Commonwealth with the utmost liberality. I quite recognise the principle that there should be a certain living wage, and that members of the service whose salaries are under £110 per year should be entitled to an automatic increment that will bring them up to the amount mentioned. But if we adopt this principle we strike at the very root of the administration of the service. -We say that merit shall have nothing whatever to do with the progress which an officer makes in his department. He is to go on in the same grade year after year, by reason, possibly, of more efficient men being promoted over him, and in spite of his inefficiency he is to get an automatic increase after five years. We can only be generous at the cost of the taxpayers of the Commonwealth, and we have no right to give to those public servants who have not proved themselves efficient anything more than that to which they are entitled within the grade they have attained, and in which they have remained because they have not earned promotion. The good men will get promotion.

Mr. POYNTON (South Australia). - There is another phase of this question which I think has not been referred to. All the Victorian officers who have been transferred to the service of the Commonwealth I would point out have their existing and accruing rights preserved to them. But what about other officers who may be working alongside of them, and whose maximum is considerably less? Probably the Minister for Home Affairs can inform us whether any of the other States have long service increments, and, if so,

how many States are affected in that way. I can realize that later on, when it becomes known that an officer in Victoria is doing the same class of work as an officer in New South Wales or South Australia,, and that the first-named is entitled to long service increments which are denied to the others, considerable dissatisfaction will arise. I should like to hear what the Minister has to say upon that phase of the question. I also desire to know how many transferred State officers are in the position occupied by the Victorian officers ? What the honorable member for Bourke is moving does not give one iota more advantage to the Victorian officers than they already possess.

Mr. BATCHELOR

(South Australia).With every desire to be as liberal as possible to the public servants, of the Commonwealth, this proposal goes further than I care for. The principle which, we have laid down, that merit should be the first consideration, is set aside altogether' by this clause. The honorable member for Bourke wishes to provide that after three years an officer in the fifth class who has been receiving the maximum salary of £160 may be paid another £20 a year as a long-service increment. That would be too heavy a burden for the Commonwealth to bear, besides which officers who have reached the top of the fifth class are in receipt of a fair salary, and certainly do not require anything of this kind. I admit that promotion necessarily will not be very fast, but at the same time this proposal asks too much. Sub-clause (2), which provides that where an officer in the fourth- class has been for five years at the maximum salary of £280, he may be paid a long service increment at the rate of £15 per annum, is still worse. I would rather vote for sub-clause (1) than for sub-clause (2). At the same time I do not think that the Commonwealth ought to establish a privileged class in which, whether an officer shows meritorious service or not, he may receive periodical advancement.

Mr. REID

(East Sydney).- If, as stated by my honorable friend, the member for South Australia,

Mr. Poynton,

the Victorian officers will be entitled to the benefit of .this long-service increment, a state of things will arise in the public service which will be intolerable. In one respect the honorable member for Bourke is trying to do a good thing by attempting to make matters uniform. I would not pretend to give a deliberate opinion on the question without making a careful study of the Bill, but it seems to me that the honorable member for South Australia is mistaken. Even On the assumption that such a provision as has been referred to is in the Victorian law, the words in this Bill to which reference has been made will not give to Victorian officers anything which other officers will be denied.

Mr Poynton

- Look, at clause 59.

Mr REID

- I have been looking at that clause. A transferred officer, according to the provisions of that clause, shall preserve all his existing and accruing rights. But that provision, of course, must be read subject to the provisions of the Bill generally, and looking at the Bill generally I think that the right which we have been discussing will not be preserved. I suppose that the Government have really considered this matter, because it would never do to have such a state of things arise as has been suggested. My own view is that it will not arise.

Sir William Lyne

- That is the view of those whom I have consulted.

Mr REID

- At the same time we know how courts sometimes give decisions which are quite opposite to the opinions which have been expressed. I suppose that there would be nothing to prevent a proceeding under this Act to test the question in a court of law.

Mr HUME COOK

- I am told that officers in the Postal department are now receiving these long-service increments, which are paid to them I suppose by the Commonwealth, although the Act from which I borrowed the proposal was passed only a month or two prior to the establishment, of federation.

Mr REID

- That is a very serious matter. If in the administration of 'a de- . apartment of the Commonwealth this right is being recognised, the Government will be in an extremely difficult position if ever they come to

contest it, because their own conduct would be against what they say is the law. I have no doubt that the Minister will bear in mind the statement which has just been made by the honorable member for Bourke, and which has a very practical bearing on this matter.

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Minister for Home Affairs

Sir WILLI AM LYNE

- I have obtained the opinions of legal authorities upon this matter, and they agree that it does not apply to the Commonwealth service. I recognise that whatever is done in regard to the Victorian service must be done in regard to the other services. I am absolutely opposed to the proposal of the honorable member, and I cannot accept his amendment. But I will go so far as to say that the matter shall be further inquired into as far as the officers transferred from the Victorian service are concerned, and all the services will be placed upon the same footing.

Mr. ISAACS

(Indi).- I wish to ask the Minister, in view of the constitutional provision that officers passing over to the Commonwealth service shall retain their rights, to consider No. 1721 of the Victorian Acts. The ninth section of that Act contains a provision very much in the terms of the clause which is proposed by the honorable member for Bourke. It enacts that long-service increments may be paid. There is a right in one sense, though not an absolute right in another sense. There is no absolute right to these long service increments unless the authorities choose to give them. But there is the right that officers may have these increments if the authorities choose to exercise their discretion to give them. The honorable member for Bourke proposes to give officers power to invoke that discretion. If such a provision be not included in the Bill, no Victorian officer passing over to the service of the Commonwealth will have power in the future to point to anything which would entitle him to that long service increment, even though the authorities might be desirous of granting it. There is a right being lost to them unless some such provision as this is included in the Bill.

Sir William Lyne

- The word "may" is used both in the Victorian Act and in the clause under discussion.

Mr ISAACS

- There is no compulsion in either case, but unless some such provision is inserted in this Bill there is a right which has vanished.

Mr MCCAY

- Does the honorable and learned member think that is a right within the meaning of the Constitution?'

Mr. ISAACS. - It is very early to interpret a word of that nature, but I think we should be careful not to do anything to destroy the possibility of ever having that word interpreted. I want to preserve the status quo ante as much as possible, in order that officers may not hereafter be told, "Had you remained in the Victorian service you could have made your representations to the Postal department, and have obtained, upon proper proof of merit and good service, these long-service increments, but there is no provision in the Public Service Act of the Commonwealth which enables us to pay them." There is a strong feeling I may tell the Minister amongst a large number in the public service that the Victorian public servants, who have been transferred along with their departments, will carry with them the rights which they enjoyed as members of the State service. Does the Minister acknowledge that if that is correct they will still have the right to go to the authorities and ask for the exercise of the power conferred by Act 1721? There are persons, who, if they had remained in the service of the State, would have gone from £180 to the maximum salary of their class, £200. But unless their right is acknowledged by the Government, in the sense in which I have put it, they will be debarred from ever rising to that £200. It seems, therefore, to be only a fair and reasonable thing to allay any doubts existing on that point.

Sir WILLIAM LYNE

- With reference to the remarks of the honorable and learned member for Indi, I cannot go further than this. Supposing we put anything in this Act which would interfere with the rights existing under the Constitution, it would have no effect. If a right exists as far as the Victorian service is concerned, that right cannot, and will not be taken away, and it must be also extended to the other members of the Commonwealth service.

Mr HUME COOK

- The present proposal would have the effect of doing that.

Sir WILLIAM LYNE

- I know that ; but it would be dangerous to adopt the suggestion until we know more about the rights given by the Victorian Act. No right will be taken away, and the whole of the members of the service must have the same rights, but it is too early to define what these rights are. I ask the honorable member not to press this clause, as the discussion has drawn attention to the matter, which will be further considered by the legal members of the Government, so that justice may be done.

Mr Reid

- Will the Minister remember the statement which has been made as to what is being done under the Commonwealth now. That is a most important matter to inquire into.

Sir WILLIAM LYNE

- I will inquire into it.

Mr. HUME

COOK (Bourke).- In the face of what the Minister has said I would not think of pressing the matter to a division. He has stated, in set terms, that he will inquire into the matter, and that if the Victorian officers have a right it will be secured to them, and further, that if it does not extend to the rest of the service, he will see that it is extended to them.

Amendment, by leave, withdrawn.

First schedule agreed to.

SECOND SCHEDULE

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Permanent Heads of DEPARTMENTS

The Secretary to the Department of External Affairs.

The Secretary to the Attorney-General's Department.

The Secretary to the Department of Home Affairs.

The Secretary to the Department of the Treasury.

The Secretary to the Department of Trade and Customs.

The Secretary to the Department of Defence.

The Secretary to the Postmaster-General's Department.

Mr REID

- I do not wish to raise any very serious discussion over this, except that it is a matter for consideration whether the titles of the permanent heads of departments are the best that could be adopted. It has been quite a common thing in our State Parliaments to apply the terms here given to officers to Ministers, and in some of the States the Minister is the Secretary for Lands, and so on. On the other hand, in some States there is a Secretary for the Postal department, who is the permanent head, so that the practice is not uniform.

Sir William Lyne

- We have considered all that.

Mr REID

- It is a question whether the term " secretary " is best, but I have no strong objection to it.

Mr ISAACS

- I would like to know whether " secretary " means the Minister's private secretary.

Sir William Lyne

- No ; it means the permanent secretary.

Schedule agreed to.

THIRD SCHEDULE

Mr POYNTON

- I think this is the proper place to consider the position of female officers in connexion with the Commonwealth service. We have here for females a fifth class with a maximum salary of £1 10, and a fourth class with a maximum salary of £140. I believe that in New South Wales the maximum for telegraph operatives is £170, and for postmistresses £240. In Victoria the maximum for telegraph operatives is £84, whilst for postmistresses it is £132, with certain reductions for quarters. There are also provisions for similar reductions for quarters in New South Wales. If this schedule is carried as it stands,

we shall make the pay considerably less than it is in New South Wales, and even less than in Victoria, and I desire to raise the question as to whether there is any necessity for females to remain in the fourth class. The clauses of the Bill provide for testing the efficiency of officers by examination, and advances from one division to another, as far as male operatives are concerned, and they apply to females also up to the fourth class. I cannot see any necessity for the latter part of the schedule at all, as if we place males and females on the same footing they will advance according to their merit, not only to the fourth class, but to any of the classes. I shall therefore move -

That the word "males" in the first column of the schedule be omitted.

If that is carried, the whole of the schedule relating specially to females will have to come out.

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Mr F E McLEAN

- I hope the Government will consent to this amendment; firstly, in the interests of those already in services where higher salaries are being paid ; and secondly, in the interests of the male employes generally. I think the fact of having a female grade at lower salaries must necessarily tend to displace male labour to some extent, and to prevent males from obtaining many of the positions which would otherwise be open to them. We are all agreed that where women are capable of doing a certain class of work they ought to be eligible for employment in the Government service, but I do not think we are in favour of establishing a lower scale of remuneration for females, which would have the effect of supplanting male officers by cheaper female labour. I seriously ask the Government to accept the amendment, which is in harmony with the provisions already agreed to, fixing a minimum wage. It was understood that that amendment was applicable to all males, and if that is so, the matter should be carried a little further, and male and female employes should be placed upon the same footing. It cannot be the intention of the House or the desire of the Government that men should be supplanted by females at a lower rate of pay, but such a result might be brought about if any distinction were made in the remuneration of males and females working in the same subdivisions or classes.

Mr BRUCE SMITH

- This does not seem to be a matter for argument, because it is simply the corollary of the conclusion the committee has already arrived at. When the schedule was framed it was shaped on the assumption that the Bill was going to treat female labour on a different basis from male labour, but the committee has really determined that women shall be entitled to the same pay as men if they do the same work. Therefore the whole schedule requires to be altered, in accordance with that decision. There is no distinction made between men and women, and if a woman does the work, it is intended that she shall receive the same remuneration as a man would get under similar conditions. Under these circumstances, there is no necessity for any distinction in the grading of the two sexes.

Mr MAUGER

- I sincerely hope the Minister will agree to this proposal. I know that in some of the Government departments, especially in the Postal department, women have been presiding over offices and carrying out responsible work at rates of pay considerably less than men would have been paid. As the honorable member for Parkes has pointed out, we have really accepted the principle, and the Ministry has conceded it, that women shall be paid at the same rates as men for similar work, and the Government will save a great deal of time if they at once adopt the suggestion of the honorable member for South Australia.

Mr. BATCHELOR

(South Australia). The honorable member for Lang said there could not be very much argument on this question. I admit at once that the arguments are all on

the honorable member's side. There is no getting away from the point that women who are doing work in which men are also engaged should receive the same pay as that given to the men.

Mr Page

- The honorable member wants to get rid of the women.

Mr BATCHELOR

- At the same time I do not want the committee to forget that the chances are that if this proposal is carried there will be very few women employed in the Commonwealth service. I am pretty well certain that we shall be doing the females a very bad turn indeed by passing this amendment.

Mr MAUGER

- -Is that not entirely contrary to the argument that women do the work as well as men.

Mr BATCHELOR

- I am satisfied that every honorable member must recognise that the effect of passing this proposal is likely to be what I have stated. Of course I recognise that it is inconsistent with the view that women ought to receive as much as men, but in practical life, as things are to-day, women's labour in all branches of employment is valued below that of "men.

Mr MAUGER

- Wrongly so.

Mr BATCHELOR

- Still there is no use quarrelling with the condition of affairs. I am confident that a considerable amount of harm will result if this proposal is carried. It is said that women very often do exactly the same work as men; but we must remember that men are called upon to work overtime ; to work late at night and until 1, 2, and 3 o'clock in the morning.

Mr Wilkinson

- -And they get extra pay for doing so.

Mr BATCHELOR

- Does the honorable member consider that it would be advisable to employ women for such long hours, and to send them home at that time in the morning 1 The honorable member will admit at once that this is a barrier to the employment of women for overtime. I agree that wherever women do precisely the same amount of work as men they ought to be paid the rate which the men receive. I should like, however, to see that matter left to the commissioner.

Mr BRUCE SMITH

- -The commissioner will use his own discretion in choosing women for various classes of work.

Mr BATCHELOR

- In the case of telegraph operators, the women do very much the same amount of work as men, and that statement also applies to postmistresses.

Mr Mauger

- Some of the biggest suburban post-offices in Victoria are managed by women.

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Mr BATCHELOR

- I know that some of the largest suburban stations in South Australia have been managed by women, but they are stations that have grown up with women in charge. In two cases, when the women in charge retired, their places were filled up immediately by the appointment of men.

Mr V L SOLOMON

- What were their relative salaries 1

Mr BATCHELOR

- The salaries received by the women were much lower than those paid to the men. I am referring to the Parkside and Unley Post-offices, with which the honorable member is no doubt familiar. The changes I am alluding to were made within the last three ' months. It would have been very much cheaper, when the postmistress retired, to place other women in charge, but because the stations had grown beyond what was considered to be within the normal powers of a woman, in regard to the management of a number of men, postmasters were appointed.

Mr F E McLEAN

- That would apply whether the schedule was amended or not.

Mr BATCHELOR

- I am not saying it would not.

Mr Mauger

- I can assure the honorable member that a woman has just been appointed to succeed the retiring postmistress at the Footscray office, where something like fifteen men are employed and the work is very great.,

Mr BATCHELOR

- I do not desire to dogmatise on this question. I am most anxious to preserve opportunities for women, to

secure employment which is congenial to, and suitable for them. I am afraid, however, that if we require that they shall in all cases receive the same salary as men, and go right up to £.160 per annum by automatic increases, we shall not have many women employed in the service.

Mr Mauger

- They go up to £170 in New South Wales.

An Honorable Member. - Up to £240.

Mr BATCHELOR

- If the honorable member does not think his proposal will have the effect I attribute to it I shall be quite prepared to support it. I believe, however, that it would be a great deal better to omit the figures "£140" which appear in the schedule. That is the absolute maximum for women.

Mr BRUCE SMITH

- But it is proposed to have only one classification for males and females.

Mr BATCHELOR

- I think the figures ought to be struck out, and that where precisely the same responsibility exists, and the same work is being done by a woman as would be required in the case of a man, there should be an opportunity for the commissioner to raise the amount.

Mr ISAACS

- There seems to be a great deal of truth on both sides. On carefully looking at this schedule I think the Minister will see that it will have to be altered in some way, because while a distinction is drawn between males and females in the fourth and fifth classes none is drawn in any other class.

Mr Deakin

- Females cannot go beyond those classes.

Mr ISAACS

- Is it intended that a female is not to get beyond the fourth class?

Mr Reid

- The schedule makes it appear so.

Mr ISAACS

- I have not heard of any- 'thing affirming such a decision on the part of the committee.

Mr BRUCE SMITH

- The committee has affirmed the contrary.

Mr ISAACS

- If a female gets beyond the fourth class - that is, if she gets into the higher classes at all - she is by this schedule permitted to have exactly the same salary as a male. The honorable gentleman in charge of the Bill will see that there is some small degree of inconsistency in the schedule in that respect. I am sure it is one that is not intended. Which part is to be altered? Are we to carry on the distinction between males and females right through the schedule, or blot out the distinction which already exists? I think it will be found impossible to construct a new schedule showing the difference between males and females right through. The various difficulties might be harmonized. If we were to abolish all distinctions on paper between males and females, we could then meet the position lightly put. in man)' respects by the honorable member for South Australia, Mr. Batchelor, in this way - that if a woman was found not to be able to do as much work as a man she would not be advanced so far.

Mr BRUCE SMITH

- By the commissioner?

Mr Mauger

- That meets the difficulty.

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Mr ISAACS

- I should say that if we strike out the paper disparity the department could be worked practically just as the matter deserves, by not placing women in positions in which they would be called upon to do greater or better work or more arduous work than their capacity would permit. Therefore I would suggest to the honorable gentleman in charge of the Bill that he might strike out the figures distinctively appertaining to females, and trust to the practical working of the department.

Sir EDWARD BRADDON

- It seems to me to be logically impossible to advocate any differentiation of the rates of pay of males and females merely for reasons of sex. If a woman does work as well as a man, surely she is entitled to draw the same rate of pay. It is within my experience that females have been appointed to clerical positions in departments where they have been treated exactly as males have been, and where they have drawn salaries corresponding with those to which the males were entitled. I certainly think that we should pay for work when the work is worthy, whether it is done by males or females. That might be a very good suggestion for wider extension beyond the public service, and might even induce the better payment of women in employments outside that of the Commonwealth service where they do men's work.

Mr McCOLL

- I think we ought to consider, and some statement should be made to the committee before these changes are made, what they are going to cost . the Commonwealth. It has been remarked before to-night that very little consideration has been given to the taxpayers in the preparation of this Bill. We find amendments moved and changes proposed in the airiest possible manner, without knowing what they are going to cost. Something was said last night about placing women on the same footing as men in allowing them to go up to £110 on reaching 21 years of age.. We have transferred some 4.00 females to the Commonwealth service. Scarcely any of them receive £110 per annum, but the great bulk of them would, under that arrangement, be able to claim that amount, which would probably mean an expense of between £20,000 and £30,000. If this change is made, what is it going to cost ? In my opinion, it will simply ring the death knell of female employment in the service. There is on the part of superior officers very strong prejudice against employing females, and that prejudice has been several times evinced lately, so that while equality of wages may give women already in the service a very rosy position, it may keep other women from entering it.

Mr Poynton

- In one department recently twenty women were put on, and no men.

Mr McCOLL

- We all know very well that the Commonwealth is going to be a great financial strain on the States, and that we are increasing the expense by giving every one what is a fair living wage.

Mr MAUGER

- The honorable member should be just.

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Mr McCOLL

- It is not a- question of justice. Could these women get anything like the amount that is proposed if they went into service outside 1 This is giving far more than a living wage to women. AVe ought to study the farmers and workingmen, who have to pay the taxes, before we sanction these radical changes which will increase enormously the burdens of the Commonwealth and the people of Australia.

Mr. BRUCE

SMITH (Parkes).- It is very interesting to me to hear gentlemen who are never tired of proclaiming themselves liberals in politics, sounding this note of the knell of women's employment in the public service of the country. The honorable member who has just sat. down has uttered a jeremiad about the cost to the State of putting women on equal terms with men, losing sight, in the first place, of the very simple fact that the condition of their being so paid is that they shall take the place of men and therefore take men's payment. I heard the honorable member Speaking in an earlier part of the day about the fine young farmers who should be encouraged to come into the service of the country ; and I am quite sure that if he had to go before a lot of women constituents he would not talk as he has talked to-night. He knows he can express himself in this way, because women are not his constituents, though he may have them as his constituents much sooner than he expects, and then he will have this little speech coming home to roost. The honorable member for South Australia,

Mr. Batchelor,

who, I know, professes to be not only liberal, but radical in politics, seems to stop short in his liberalism when it is proposed to put both sexes on the same footing. It is one of the best tests of the genuineness of a man's liberalism that he is prepared to admit the equality of the sexes, supposing they have the same opportunity. We all recognise that men for a long series, not merely of generations, but of centuries, have had cultivated in them the faculty which fits them for business, whilst women have been taught, and have

almost come to believe that they are unfitted to do the class of business which men do regularly. I carry my liberalism to the extent of admitting that there is inherently no difference between the mental capacity of a woman and the mental capacity of a man. ' I quite recognise that there are- certain physical difficulties and differences which may from time to time affect them ; but we have no right on that ground to say that we shall not open the door to women to rise to any position which is open to men. When I addressed the House on the second reading of the Bill, I pointed out that women pay the same income tax and the same land tax, and are subject to the same criminal and civil law. For a long time men have laughed at their claim to have a vote in the election of members for Parliament ; but that claim seems to me to be admitted now, and it is difficult to find a man who has the temerity to dispute it. We have reached another stage. Here is a public service, paid out of- funds to which women contribute, and yet there are honorable members here, professing to be liberal or radical in politics, who are fearful to take the step of paying them salaries equal to those paid to men. The honorable member for South Australia, Mr. Batchelor,

says that this may be the death knell of the employment of women in the service of the country. But the honorable member must give other people credit for knowing that there is boomerang legislation, which very often comes back and strikes the people it is intended to benefit. I have no fear of that, because the commissioner of the public service will always have it in his power to say whether or not a woman already in the service is capable of moving into a higher position.

Mr1. Ewing. - That is the whole case.

Mr BRUCE SMITH

- That is the whole case. If the Bill had been framed on the principle of automatic rises, the commissioner would have no power to stop women's salaries rising. But after a woman reaches a certain amount of salary, the commissioner can say " No doubt this woman has done very well in this particular business,- which is of a routine character, but she is a woman of not much mental capacity, and she cannot, although she has been so many years in the service, be promoted to a higher position, because she is not capable." The commissioner will always have it in his power to say that.

Mr McCay

- I do not think that under clause 21, as it stands, the commissioner will have that power in regard to the fifth class.

Mr BRUCE SMITH

- If it is necessary to provide against any possible danger, let provision be made by all means ; but do not let it be said that under this Commonwealth we are not advanced enough to admit women to an equal position with men, so long as the women do equal work.

Mr Isaacs

- There is provision in clause 21 to the effect that in the case of a woman there shall be a certificate that she is capable of performing the work.

Mr BRUCE SMITH

- I do not complain of that. All I claim is that women should have the same chance, and no better chance, than men. I make that claim with some spirit, because it has been a conviction in my mind for many years, and I am extremely glad the opportunity has arisen under the Bill for testing the genuine liberalism of men on the question of placing the two sexes on the same level.

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Mr WILKINSON

- I cannot see why females should not be paid the same wage for the same class of work as men are paid. I recognise the force of what the honorable member for South Australia, Mr. Batchelor, has said as to the possibility of this equality of wages leading to the abolition of female labour in the public service, and I do not know that that would be altogether an evil. What do we find going on in the industrial world ? We find a disposition to accept female labour because it is cheaper, and also to accept boy labour, which is cheaper still. The effect is that men are thrown out of work, and women, instead of becoming wives and mothers, go out to earn money where men should be earning higher wages. In the first subdivision of the fourth class, as shown in the third schedule, the difference between the salaries of males and females is £60, while similar disparities can be seen throughout the schedule. If a woman does the same work as a man she should be paid at the same rate as a man ; and the Government should set an example to

private employers. If we get any class of labour from women at a cheaper rate than we should have to pay men, we become swindlers and sweaters. I shall certainly support any effort which would put females on an equal footing with men, and, as I said before, it might not be altogether an evil if women were discouraged from attempting to take the place of men by underbidding them.

Mr. BATCHELOR

(South Australia).- I protest against the honorable member for Parkes trying to fix on me views which I altogether repudiate. I was very careful to guard myself against leading the committee to believe that I recognise any difference between men and women mentally, or that women should be paid less than men for 'doing similar work. I said I was personally strongly in favour of equal payment, but I pointed out that as things are to-day, there are prejudices against the employment of women. If WA say that women must in all

Cases receive exactly the same wages as men up to the £160 stage, I am afraid, in view of the fact that men can be transferred much more readily from one position to another, that this will lead to the replacement of women by men, so that instead of extending- the area of employment we shall greatly contract it.

Mr Higgins

- Some people advocate equal wages in order to keep women out.

Mr BATCHELOR

- I am not going to

Say that any honorable member would take up that position ; but there are people determined, if they possibly can, to enforce equal rates with the avowed intention of bringing about the displacement of women by men.

Mr BRUCE SMITH

- Surely the honorable member is not justified in assuming that the commissioner will have that prejudice.

Mr BATCHELOR

- I am not assuming that the commissioner will have any prejudice of the kind. Only a few months ago, while I was temporarily in charge of the Post-office department in South Australia, I was waited on by a deputation of postmistresses stationed within two or three miles of Adelaide, with a request that certain offices then filled by women should be earmarked for women for all time. Notwithstanding the fact that they were paid 30 per cent, less wages than men, they felt quite certain that in the event of any one of their offices becoming vacant, it would be filled by a man. The fact that these women believed this, and that in certain offices women have been displaced by men, shows there was some ground for fear. I want the committee not to bind the commissioner to give automatic increases, but to recognise there may be differences sometimes, and to give him every opportunity of dealing with them. I am perfectly satisfied with the proposal suggested by the honorable and learned member for Indi.

Mr Poynton

- We are all agreed then %

Mr BATCHELOR

- We are all agreed. What I object to is the honorable and learned member for Parkes crediting me with views which I do not hold.

Mr. BRUCE Smith. - I withdraw, and apologize most humbly

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Mr BATCHELOR

- Under these circumstances I shall say no more.

Mr. McCOLL

(Echuca).- The honorable and learned member for Parkes went somewhat out of his way to visit me, in anticipation, with pains and penalties for remarks I made to-night. I will repeat those remarks before any congregation of women, whether those women be voters or not. I am afraid that it is the action of gentlemen like the honorable and learned member himself which will ring the knell of the employment of women. My remarks were more particularly directed to pointing out that before we make these sweeping financial changes we have a right to know what the result of them will be. We are bringing in this Public Service Bill and making changes, and we have not yet been told what they are likely to cost. As prudent men, to whose care is committed the financial arrangements of the Commonwealth, we have a right to

see that economy is carried out in every branch of the public service. We are not doing our duty if we introduce into the Bill sweeping changes which will have the effect of vastly increasing the cost of the public service, without first knowing what those changes are going to cost. It is all very well for some members to come here and try to earn a little cheap popularity by posing as champions of the women, but when the women find that through certain changes they are kept out of the public service, they are more likely to visit retribution upon the heads of those who are responsible for those changes than they are upon those who opposed their introduction.

Mr. ISAACS

(Indi). - It will be observed that there is a provision in clause 21 by which automatic increases are to be given. In order to carry out the plan of which I was speaking a little time ago, I would suggest to the Government to add to sub-clause (5) of clause 21 the words - 1

And also in the case of a female as being as capable of as satisfactorily performing the work as a male. In that case I think that even the objection urged by the honorable member for Echuca would vanish at once. The honorable member is only anxious that inferior work shall not be paid for at the same rate as superior work. We all know that some women are quite as capable as are some men. In fact, some women are more capable than are some men. What I would suggest, will, if carried into effect, put this matter upon a satisfactory basis.

Amendment agreed to.

Amendment (by Mr. Poynton) agreed to-

That the following portion of the schedule be omitted : -

Schedule, as amended, agreed to.

Preamble and title agreed to.

Bill reported with amendments.

Sir WILLIAM LYNE

- With the indulgence of the House I desire to state that I cannot to-night go on with the clauses that are to be recommitted. We have nothing now but those clauses to deal with, but I propose to-morrow to recommit the Bill in order that they may be reconsidered, and also to consider the amendment suggested by the honorable and learned member for Indi in clause 21. It was on the understanding that that amendment should be carried, or words having the effect suggested by him, that I agreed to the alteration which has been made in the schedule.

Sir Edward Braddon

- Will the Minister recommit the whole Bill ?

Sir WILLIAM LYNE

- No. I should not have agreed to the amendment in the 3rd schedule without expecting to obtain such an amendment as the honorable and learned member for Indi has foreshadowed, and I recognise that there is a great deal in the remark that unless such an amendment is carried the amendment of the schedule will, to a great extent, have the effect of excluding women from employment in the public service of the Commonwealth.

ADJOURNMENT

Public Service Bill

Motion (by Mr. Deakin) proposed -

That the House do now adjourn.

Mr V L SOLOMON

- I desire to ask whether, before we consider the recommitment of the Public Service Bill, honorable members will be able to get a reprint of the measure as it now stands. It is really of immense importance that we should do so. The Bill has been considerably knocked about, new clauses have been inserted in all sorts of ways, and it will be almost impossible to understand it unless honorable members have a clean print of it before them. When the proposal is made to-morrow by the Minister to recommit certain clauses, it will be impossible for honorable members to know whether other clauses may not require to be recommitted unless they have a reprint of the Bill in its present form.

MR. MCCOLL (Echuca) - I wish to ask the Minister if he will be good enough to supply to-morrow, when the Bill comes up for discussion, particulars with regard to the women employed in the service transferred from the States, together with some information as to what are their salaries, and what

amount will be involved by reason of the changes proposed under this Bill 1

Minister for Home Affairs

Sir WILLIAM LYNE

. - In reply to the honorable member for South Australia, Mr. V. L. Solomon, I may say that I do not know whether it is possible to get the Government Printer to supply us with a fair copy of the Bill containing the amendments and new clauses in time for our meeting to-morrow ; but the Clerk will send down a copy to-night with a request, which I will emphasize to-morrow morning, that clean prints of the Bill shall be supplied, if possible, before the House reassembles. It is very important that we should know how the measure stands. In answer to the honorable member for Echuca, I wish to say that I do not know whether it is possible to obtain the particulars which he desires, but I shall try to do so to-morrow morning.

Mr SPEAKER

- My attention has been called to the fact that there is a notice of motion standing in the name of the honorable member for Tasmania, Mr. O'Malley, which perhaps he may wish to move. In that case it will be necessary for the Attorney-General to withdraw his motion.

LEAVE OF ABSENCE TO MR. GLYNN.

Resolved

(on motion by

Mr. O'Malley)

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That leave of absence for one fortnight be granted to the honorable member for South Australia, Mr. Glynn, on the ground of illhealth.

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22:12:00

House adjourned at 10. 13 p.m.