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1901-06-19

HouseofRepresentatives.

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

QUESTIONS

THE ANGLO- JAPANESE TREATY

Sir WILLIAM McMILLAN

asked the Prime Minister, upon notice -

Whether it is a fact that the State of Queensland has obtained all the advantages arising out of the treaty between Great Britain and Japan, while at the same time special provisions have been conceded by which Queensland has full control over the influx of Japanese labour ?

Whether it is a fact that all the Australian States except Queensland have rejected into the Anglo-Japanese treaty ?

Whether he will consider the advisability of securing for the Commonwealth all the trading privileges under the above treaty, while at the same time reserving all rights for the control of the influx of Japanese labour ?

Minister for External Affairs

Mr BARTON

- 1. Yes. 2. Complete information on this point has not yet been obtained. 3. The matter is now under the consideration of the Government, and the suggestion of the honorable member will receive attention.

ALIENS IN QUEENSLAND

Mr EWING

asked the Prime Minister, upon notice -

The number of aliens in Queensland ? .

The nationalities to which they belong ?

The localities in which they are employed ?

The vocations they follow?

The numbers and particulars in detail in connexion with Nos. 3 and 4 ?

Mr BARTON

- If the honorable member will give notice of a motion for a return, the Government will so far assist him that they will request the Government of Queensland to place at their disposal whatever information may be obtainable on the subject.

Mr Ewing

- Cannot the information be obtained without moving for a return?

Mr BARTON

- It is the usual course to move for information of this kind. The motion will not be opposed.

AUSTRALIAN CABLE BUSINESS

Mr JOSEPH COOK

asked the Minister representing the Honorable the Postmaster-General, upon notice -

Whether he can inform the House as to the number of words, and the total cost of the Australian cabling business, for last year ?

Minister (without portfolio)

Sir PHILIP FYSH

- The information is being obtained, and will be communicated to the House.

LEE-ENFIELD RIFLES

Mr EWING

asked the Minister of Defence, upon notice -

The number of Lee-Enfield rifles (303) required to equip with this weapon the whole of the volunteer forces of Australia, inclusive of rifle clubs and similar organizations ?

The cost of the above?

Mr BARTON

- In the absence of my right honorable colleague, who, I am sorry to say, is away because of the dangerous illness of his brother, I desire to say -

57,512 Lee-Enfield rifles would be required to equip with this weapon the forces of the Commonwealth. According to the latest price list the cost would be £274,619 16s. 10d.

AUDIT BILL

Second Reading

Mr SPEAKER

-Before the order of the day is called on, I wish to inform honorable members that, although copies of the Bill have been circulated, as they have not passed through the hands of the officers of the House, those gentlemen cannot be responsible for seeing that all the members of the House have copies, or that copies have been placed upon the table. I think it would be well in the future if the distribution of Bills took place through the recognized channel, and then the officers of the House must take the responsibility of it.

Mr BARTON

- I did not know, Mr. Speaker, that the method of distribution has been such as you describe; but I shall take particular care that in the future all necessary distribution is done through the officers of the House.

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Treasurer

Sir GEORGE TURNER

.- I move -

That the Bill be now read a second time.

This is one of the many machinery Bills which it is necessary for the House to deal with, in order that the work of the Government may be properly carried on. Section 97 of the Constitution Act provides that - Until the Parliament otherwise provides, the laws in force in the various States with regard to the audit of accounts shall continue.

But honorable members will realize that it is wise, and indeed absolutely necessary, that a uniform system with regard to the receipt and payment of moneys, and the audit of the public accounts, should be established throughout the Commonwealth as soon as possible. At the present time, we have various modes of dealing with these important matters in the various States, and if the present arrangements were to continue for any length of time, the result would be that we should have varying decisions in the different States in regard to the method of dealing with our Commonwealth accounts. In preparing this measure I have had the assistance and advice of responsible officials of the Treasuries and Audit offices of the States, and they have given me much valuable information with regard to the practical working of the systems in vogue in the States from which they come. It is necessary that we should provide the best checks we can get in regard to all dealings with public money, and especially in regard to disbursements, in order to prevent frauds and defalcations. Under the Audit Acts of the States there have been very few losses from those causes, and for some years past practically none; and up to the present time, the arrangements now in force in regard to the Commonwealth accounts have proved fairly satisfactory ; but when in the future we come to deal with questions regarding new expenditure in connexion with the Commonwealth, it will be necessary to have a uniform practice, and we require to pass this measure as soon as we can, because it will take some time to create and bring into practical operation the machinery needed to carry out its provisions. Under the Bill an Auditor-General is to be appointed by the Governor-General in Council, and we have thought it wise to enact that this officer shall have a secure tenure of office. AVe have, therefore, provided that his salary, which is fixed at, £1,000. per annum, shall be a special appropriation. In some of the States they have two auditors, and in Victoria we have three, each of whom receives £1,000 per annum, but, in addition to his duties as auditor, does other work in connexion with the public service. After giving the matter full consideration, however, and having taken the advice of those who have had practical experience in connexion with it, [have come to the conclusion that it is wise that the Auditor-General should be able to devote the whole of his time to the work of his office ; and I think that honorable members will be of opinion that £1,000 per annum is not too large a sum to pay for the work which he will have to do. The officer appointed will be debarred from occupying a place in Parliament, from having any other paid employment, and from engaging in trade or business, except as a shareholder in a company. If he becomes insolvent, or takes advantage of the provisions of any of the bankruptcy Acts, he must vacate his position, and his position also becomes vacant upon his absence for an unreasonable time without leave, and upon resignation. We have provided further, that if an officer of the Commonwealth or of any State is appointed to the position, he shall not lose any of the

rights which now belong to him as a public servant. We have thought it necessary to give the Auditor-General the best possible tenure of office, because he may often have to check steps taken by the Government of the day with regard to the expenditure of money ; and the tenure we give him is during good behaviour. At the same time we recognise that Parliament should always have the ultimate control, and we have, therefore, embodied in the Bill provisions 'which are in force in the various States in regard to auditors and other high officials, by enacting that he may be removed from his office upon, the presentation of an address to the Governor-General by both Houses of Parliament, while if necessity should arise - as it might arise, during a recess - the Governor-General may suspend him, but not remove him. The suspension, however, is to cease to have effect unless within forty-two days after it has been made known to Parliament - and it must be made known at the earliest moment possible - the two Houses declare the position to have become vacant. Provision is also made for the appointment of a deputy to undertake the work of the auditor-general in the event of his illness, and clause 10 adopts a very useful provision which is to be found in section 126 of the Constitution Act, under which the Governor-General may appoint any State Governor to act as his deputy. Honorable members are aware that while it is easy for one officer to deal expeditiously with business arising out of the affairs of a State, it is not easy to do so when the business arises out of the . affairs of a far-off State like Western Australia, and they will recognise that it is necessary to deal as expeditiously as possible with money matters.. It was for this reason that section 126 was embodied in the Constitution Act, and advantage has been taken of it to authorize the State Governors to sign necessary warrants for the expenditure of money. Under clause 10 in like manner we give the Auditor-General power to appoint, with the approval of the Governor-General, the Auditor-General of any State, to carry out all or any of the duties which may be assigned to him. If the State auditor is unable or unwilling to act, the Commonwealth Auditor-General may appoint some other person to be his deputy within any part of the Commonwealth ; with such limitations as may be thought necessary: That provision will enable such inquiries to be held or special investigations made, as the Auditor-General may deem necessary, by an ordinary officer in the service of any State, or if he prefers it by some gentleman holding the responsible position of Auditor-General or Commissioner of Audit in any State. Under clause 11 the Auditor-General is given power to appoint inspectors for the purpose of having the books of the various departments kept in good order. These inspectors will be officers of the Audit department, but they will be specially attached to the larger departments of the State, such as the Post-office and the Customs department, and will make an audit of the accounts daily. From time to time they may be transferred from one State to another, in order that the knowledge gained in one State may be used in investigating the affairs of the Commonwealth departments in another State. The Auditor-General will communicate with the Treasurer, and must report to him any defalcations and deficiencies, and the Treasurer has power to deal with defaulters, if he thinks wise, by stopping any money payable to them by way of salary or otherwise. Necessary powers are given to the Auditor-General in connexion with the summoning of witnesses, and for doing other things in connexion with the administration of this Act, and he may obtain the advice of the Law Officers of the Crown on any matters which may arise in regard to which he may not think it wise to act on his own individual opinion. The collection and payment of moneys will be dealt with by gentlemen in the public service, who will be called public accountants, a public accountant being an officer who receives or disburses money on account of the Commonwealth. These accountants have to give security in such terms as may be determined by the Government of the day. We prohibit them from opening any official account in a bank without the authority of the Treasurer, and we take the further step of preventing any bank granting an overdraft to any of them. It has happened on one or two occasions that public accountants have been known to overdraw their accounts, and as the question might arise whether a bank would be entitled to charge the amount against the Government, it has been thought well to prohibit a bank from allowing an overdraft to any of these officers. They, of course, can always get the advances they require in plenty of time, and in some outlying places, such as the northern parts of Queensland, it might be necessary from time to time to arrange 'for a small credit, in order that an officer may be enabled to draw without moneys being actually remitted. Independently of such latter cases; however, we prohibit an accountant from obtaining an overdraft on any conditions. The necessary power is given to the Government to enter into banking arrangements with banks which will have the Government accounts. Negotiations are pending with several banks, in order that the business may be fairly distributed amongst them, and I hope before

long these negotiations will have reached a satisfactory issue, and terms arranged fail¹ to the banks and satisfactory to the Commonwealth. All moneys received by a bank are called public moneys, and are made a first charge on the assets of the bank, being moneys belonging to the Crown. These public moneys will consist of ordinary revenue, loan moneys and trust funds ; but they will form one general public account, and will be kept in the banks under such heads as will be found from time to time necessary. All moneys collected by the accountants must be paid into . the Treasury, or into the Commonwealth public account, or to some other officer, those in large departments in all probability being paid direct into the Commonwealth account. Branches of these departments will not pay directly into the bank, but will remit moneys to the head office, and the moneys will then be paid in as part of the collection of that particular department Any money paid into the Treasury has to be paid daily by the Treasurer into the public account. At the same time the necessary information is furnished to the Treasurer to enable him to check the receipts of the various accountants, and to ascertain from the bank-sheets, which are supplied to him by the banks, that the various moneys, are paid in, and that the various sums given to the accountants are properly disbursed. The audit office must have full control over all receipts and payment of the officers ; and later on we provide that the officers have to furnish returns to the Auditor-General of all the amounts received by them, and of all the amounts disbursed by them, these being placed under proper headings and with the proper dates. The Post-office account is one in which we could not conveniently allow all moneys received for post-office orders and postal notes to be paid into the Commonwealth account, as we shall be continually paying out ; and, therefore, we provide the practice followed in most of the States, that this money must be paid in to a separate account under the control of the Postmaster-General, who deals with this particular money, and who, once a month, will pay into the public account the amount of revenue for commission and charges which he has received. In the meantime, he deals with the account, which is practically a trust fund, and has it under his control, so that any money he receives for post-office orders he pays in, and if he requires to make any payments, he, or his deputies in the various parts of the States, will be able to make them as orders are presented. The Government have also to deal with moneys of a private nature. Some of these are paid in under Acts of Parliament, and are put into a trust fund ; others are paid in under legal proceedings, being verdicts obtained or moneys paid into court. These are held by the public accountants for a few days, so that they may be paid out to the parties interested ; but if the amounts are not paid out, probably within a week they are paid into an official account at a bank, where they will remain for three months. All unclaimed moneys are paid into a trust fund, and after a period of six years, moneys remaining in the trust fund are transferred to the consolidated revenue fund. But there is a provision that at any time afterwards the Government have full power to repay to persons entitled thereto any moneys which may have been paid into the ordinary revenue.

Sir William McMillan

- Is there any provision for infants 1

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Sir GEORGE TURNER

- In reference to infants and persons outside the Commonwealth, the six years will not run against them until the disability has been removed. Then we have to deal with the payment of moneys, and here we follow out the ordinary practice in that the money is paid under warrant. ' The Treasurer desiring to spend any money prepares a statement of what he thinks he will require during a certain period of time. . In the States this is during one month, but here we ask that the statement may be made for a period of three months at a time, because it will take some considerable time to obtain information from the different States. We think it is well we should have a supply from time to time which will carry us on for the period of three months. That statement is prepared by the Treasurer, and following the Appropriation Act or the Loan Act, sets out in detail the purposes for which the money is required. This statement is sent to the Auditor-General, and his duty is to ascertain if the money is legally available for and applicable to the various services and purposes set out in the proposed warrant. If the Auditor-General is satisfied, he signs the warrant, which is then returned to the Treasurer, and submitted to the Governor-General for signature, and the Governor-General will no doubt sign on that certificate. If, on the other hand, the Auditor-General does not consider the money is legally available or applicable to the purposes named, he has power to refuse to sign the warrant, and if he does not sign, that warrant cannot be signed by the

Governor-General. I did consider whether the Government should not have the power of asking the Governor to sign although the Auditor-General might have refused to give the certificate, but on the whole I thought it wiser that the Auditor-General should have control, and the power of saying whether money ought to be spent - not the amounts that ought to be provided, but whether Parliament had provided the money for the proposed expenditure. If we left that power to the Government of the day, it would place the Governor in a very invidious position. He would on the one hand have the certificate of the Auditor-General that the money ought not to be expended, as not being legally available or applicable to certain purposes; while on the other hand he would have the Government presenting to him a document and advising him to sign it. . In most cases the Governor, of course, would practically be forced to sign the document, notwithstanding the certificate of the Auditor-General that, he ought not to sign. Under these circumstances, I have followed the practice of Victoria, which has always worked well, of allowing the Auditor-General to be the arbiter as to whether money is legally available for the purposes to which it is proposed to apply it. The warrant having been signed by the Auditor-General and the Governor, the Treasurer is in the position to draw on the public accounts. That he does either by paying accounts direct from the Treasury, or by lodging money in an official account, in one or other of the banks, to the credit of a public accountant, or by making advances to a public accountant for the purpose, or, in extreme cases, where it may be necessary, asking the bank to allow an overdraft for the time being. In the last-mentioned case, and in the case of advances, the various accounts have to be sent by the public accountant to the Treasury,, and the public accountant then gets reimbursed the amount he has expended, so that he always has a balance on which he can work. Following on these provisions we provide in clause 33 for the detailed manner of making payments. Officers are appointed who have to certify that the amount appropriated by Parliament will not be exceeded by the payments in question, and that the accounts have been properly authorized - -that that they are paid under the law or under some regulation, or that they have been specially directed to be paid by the Treasurer, and are, in all cases, within the terms of the Appropriation Act. These officers have also to see that the accounts are correct, and that they are charged to the proper head of expenditure. Receipts have to be taken for all amounts expended, but we have adopted a somewhat novel practice in sub-clause 7 of clause 33. By this sub-clause, any person who has any claim against the Government, when he sends in his account, will be able to request that an order for payment may be sent to him. After the account is passed and ready for payment, an order on the Treasurer - -practically a cheque on the Treasury - will be sent to him, and after that has been signed by him, it is payable to any person who presents it. Very often in country districts complaints arise in regard to delays in payment, but we think that under this new system, which we can try, or not, as the Treasurer deems advisable, we shall have power to expedite the payment of accounts. As soon as any one receives his order and signs it and pays it into a bank, the bank will in all probability treat it as an ordinary . cheque, . and allow a person who has claims against the Government to draw against it what he requires for his business purposes.

Sir William McMillan

- Does he practically return a receipt before he gets the money ?

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Sir GEORGE TURNER

- No. In some States there is the practice under which a person receipts his account before he receives the money. But that we think an unwise procedure, and one which if it were tested in a court might be held, as known practice, not to bind. Under that practice a man sends in the account receipted, and afterwards a cheque is posted to him. In New Zealand there is another practice - there accounts are sent to a public officer and a cheque is sent to the claimant who has to go to the Government officer and sign a receipt, when he gets the cheque countersigned. That, of course, is somewhat cumbersome, and we think the system by which a man will be able practically to draw a cheque on the Treasurer is one that we might try, and, if it works well, adopt. If any difficulties arise it will always be optional to the Treasurer to discontinue the practice. In Western Australia, in that one State only, they provide that the Estimates of Receipts and Expenditure, which the Treasurer presents once a year, shall be laid on the table of both Houses of Parliament. Here, we think, seeing the constitution of the Senate, that it is wise that the fullest information should be given to that body with regard to proposed expenditure, and therefore at the same time that the Estimates of receipts and expenditure for the year are presented to the House of

Representatives, the same document will be presented to the Senate. The mere fact of doing this does not in any way enlarge the Senate's constitutional powers whatever they may be, and as a matter of fact State- Parliaments do year by year place before Upper Houses in the various States the Auditor-General's reports on the finances, setting out the whole of the expenditure. I therefore think it a wise step to give the fullest information to both Houses as to what amount of money the Government proposes to expend during the year, and the services and purposes for which they propose to expend the money.

Mr Crouch

- Which clause is that ?

Sir GEORGE TURNER

- Clause 34.

Mr Crouch

- But it there says the House of Representatives only.

Sir GEORGE TURNER

- No. The clause concludes - " Such Estimates of Revenue and Expenditure shall also be presented to the Senate." Then, in many of the States they close the financial year on the 30th June. Nominally, the financial year does close on that day, but in some States, for a period of two months or three months, and in some cases three days or ten days, the Treasurer can go on making payments and charging them against the previous year. The practice in Victoria has been to keep the accounts open for a period of two months, during which payments can be made and debited to the accounts of the year just closed. That system, however, cannot be adopted in regard to the Commonwealth accounts, because at the end of each month, for a period of five years and probably afterwards, the Commonwealth Treasurer has to pay over to the States the amounts to which they are entitled. On the 30th June, therefore, the Treasurer will have paid over the balance, and any payments he may make in July or August will be payments out of the revenue of the following year. In this Bill therefore we have adopted what is called the cash system, by which accounts are absolutely closed on the 30th June. But to prevent a practice which might be adopted of carrying forward payments to the next year, so as to avoid having too heavy an expenditure in any one year, it is provided in a clause taken from the New Zealand Act, that any claims outstanding at the end of the financial year must be shown to the Auditor-General by the Treasurer. The various Ministers have to furnish the Treasurer with the information, and that information is put before Parliament by the Auditor-General in his annual report. So that Parliament has an opportunity of knowing whether the Treasurer is endeavouring to hide a deficit by carrying forward considerable payments to the following year. That is clause 35. Clause 36 is adopted from the practice of New Zealand and New South Wales. Its purpose is to enable the Treasurer to carry on for one month without obtaining a Supply Bill from Parliament.

Honorable members will realize that it is very difficult immediately after the 30th June to obtain all the necessary information to enable the Treasurer to come before the House and make his financial statement, to place all the Estimates before Parliament, and to obtain a Supply Bill. In the various States it is not so difficult, because the area is smaller, and the Treasurer can get the information more readily. Under this clause we are proposing to give a power to the Treasurer to proceed with expenditure for one month without obtaining a Supply Bill, but he must not exceed the appropriations for a similar period of the preceding year, so that he will not be able to enter into any new expenditure not authorized by Parliament. He can simply expend money on the same lines as in the past year. If any reductions have been made in any of the items of expenditure, or in the Estimates presented to Parliament in the preceding year, the Treasurer can expend only up to the reduced amounts.

Mr Higgins

- Does the Government mean to continue the Supply Bill ?

Sir GEORGE TURNER

- The honorable and learned member surely realizes that it would be almost impossible to get the Estimates passed and the Appropriation Bill put through Parliament before the end of July. These things generally come at the -end of a session. At one time I thought that the Victorian Parliament should have an opportunity of scrutinizing every shilling of proposed expenditure upon the Estimates, and I tried to arrange for that by bringing on the Estimates earlier in the session. But I found that if I persisted in that

course every year I should not be able to get any legislation done. Of course, the Estimates are not generally dealt with by Parliament until a considerable amount of money has been expended, and that course can be taken only under the authority of a Supply Bill. The power I am now dealing with applies only so long as the Treasurer does not authorize any new expenditure, and so long as the amounts are not expended under any new principle.

Mr Higgins

- Then the right honorable gentleman means to have Supply Bills?

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Sir GEORGE TURNER

-I think I shall have to ask Parliament for Supply for three months, which will carry us on until the time when the Appropriation Act can be passed. If Parliament meets early in the year - in February or March - the work might be expedited to such an extent as to enable an Appropriation Bill to be dealt with before the end of the financial year. Clause 38 is the usual provision which allows transfers of money from one subdivision on the Estimates to another to make up any shortage that may occur. The next part of the Bill deals with audit and expenditure. The banks with which the public account is kept have at such times as may be directed by the Treasurer to send to him and also to the Auditor-General a copy of the Commonwealth Public Account Ledger - that is, a bank sheet containing the payments in and out day by day and the balance of the account. The Treasurer at the same time may, for the purpose of checking those to whom he has given advances, obtain a copy of the advance accounts. These are also for the information of the audit office. Then the Treasurer has to keep his cash-book. He enters up in that book day by day all the receipts and payments which have come to his knowledge. These he obtains by the statements which are forwarded to him by the officers who receive the money, and the officers who pay it out. Having entered up his cash sheet he sends it on with various documents to the Auditor-General, so that the Auditor-General is enabled day by day to keep up his audit of the year's accounts. Consequently, we find that, as well as the audit in the departments by the officers of the Auditor-General, there is an audit in the audit office which is going on continually with regard to all our receipts and payments.

Provisions are set out in the Bill as to what is to be done in comparing and examining. If the Auditor-General is not satisfied, he has a right to make inquiries from the Treasurer or any officer as to any point concerning which he is not satisfied. If he is satisfied with regard to any expenditure he discharges the Treasurer with regard to that particular item of receipts or payments. If, on the other hand, he is not satisfied, he is to surcharge the Treasurer for any moneys short collected or for any money not duly accounted for or not properly credited, or any expenditure which has not been properly vouched for and authorized. Sometimes small amounts are short by a few shillings of what ought to be collected. This occurs through a mere error, for which the officer is not held, blameworthy. These items accumulate from year to year, and appear annually in the

Auditors' statements to Parliament as money short of what should have been collected. In this Bill we give power to the Governor-General, on the certificate of the Treasurer, and with the consent of the Auditor-General, to remove these particular surcharges; but, at the same time, we provide that particulars of any step taken by virtue of that Order in Council shall be given in the yearly report by the

Auditor-General to Parliament. When the Treasurer is surcharged it is his duty to endeavour to recover from the officer or person who has made a mistake or who has improperly obtained or paid away any money. He may recover that money, either by suing for it or by taking such other step as he may deem necessary for that purpose. Where a public accountant considers that he has been unfairly or unjustly dealt with by the Auditor-General we give him an opportunity of appealing to the Governor-General in Council, who will investigate the matter and make such order as he considers fair and equitable. By clause 46 we provide for the annual general audit of all the books and accounts, and all the stores. That is in addition to the continuous audit which has been going on day by day, the Auditor-General is furnished with the necessary material to enable him to make his annual audit. Then he has to report to the Treasurer any matters that he considers have not been properly dealt with, so that the Treasurer may take the necessary steps to rectify any mistakes or errors that may have arisen. Provisions are also inserted with regard to imperfect or lost vouchers. Under clause 50 we require the Treasurer to make a quarterly statement of the receipts and payments and also of the various funds - the revenue fund, the trust fund, the loan fund; and he is to publish these statements in the Gazette. He is also to prepare an

annual statement showing the same particulars. In all the statements he is to set out the exact position of the loan fund at the time. For the purpose of enabling Parliament to have a full knowledge of what has been done during the year the Treasurer is to prepare at the end of the year an account of the finances for the year which has closed. That he has to submit to the Auditor-General, who is to thoroughly investigate it, and make a report to Parliament setting out anything that in his opinion is wrong or improper, or where the acts or regulations have not been properly complied with. The Auditor-General is also to give the fullest information in his power to both Houses of Parliament in order that members of the public generally may ascertain what has been going on in the past year. He may likewise attach any opinion he may have obtained, or any orders in council which may have been made relating to the finances ; and he has power to make suggestions for the better keeping of the accounts. Those suggestions and opinions are to be considered by the Governor-General in Council. Proceeding rapidly - because this is a machinery Bill - I come to clause 56, which provides that a full and separate account is to be kept of the Loan Fund. That is to say, that while all the money of the Commonwealth is to be kept in one general account in the bank, a separate account is to be kept at the Treasury of the Revenue, Loan, and Trust Funds. We have adopted what may be regarded as a somewhat novel procedure with regard to interest on any money borrowed by the Commonwealth. Interest as a rule is payable on the 1st July and the 1st January, and the financial year closes on the 30th June. While a large amount of money may have been remitted to London for the purpose of paying interest on the 1st July, that amount has not always been charged to the year to which the interest belongs, but to the following year. It has been charged as a payment on the 1st July, although practically for interest for the six months ending on the 30th June. I find that in Great Britain the practice is to charge the quarterly payments to the preceding quarter, in which the money really became due. That is also the practice in Queensland. While we could not attempt to adopt that practice with regard to loans which we may take over from the various States - because they could not afford the charge for the amount of money which would be required for the purpose - yet whenever we start borrowing for the Commonwealth, as we shall have to do sooner or later, we had better start on a fair basis, charging whatever interest may be owing for the quarter against that quarter, and not postponing it till the following quarter. No loan moneys may be expended except under the authority of an Act of Parliament, which sets out the purposes and the objects of the proposed expenditure, and in addition full particulars of the total amount which it is proposed to expend. Very often works have been started upon an estimated expenditure of £50,000 or £60,000, Parliament being unaware or not thoroughly realizing that that expenditure may commit the colony to a very much larger expenditure. Therefore, we provide that before a loan appropriation is made the Treasurer must be prepared to tell Parliament, as nearly as he possibly can, the total amount of the expenditure to be incurred on the particular work. Then Parliament will have the fullest information before it, and will be enabled to say whether or not it will authorise the expenditure. Very often we have to provide a large amount of material for various works not knowing to what particular works it will be charged. Therefore we have a provision under which money expended upon material which may ultimately be chargeable to more works than one, is to be charged in the first instance to a suspense account, and is to be charged to the proper work when the cost of the work is ascertained. We have followed that practice in Victoria with regard to our railway expenditure and. it has also been followed in Queensland, as well as, I believe, in some of the other States. A very important fund in many of the States is what is called the Trust Fund. Unfortunately in years gone by that fund has been at the disposal of the Treasurer, to draw upon it as he thought fit without any check. The result has been - I know it has been so in Victoria - that expenditure has been incurred by the Treasurer paying for it out of Trust funds, hoping that revenue might come in to recoup those funds afterwards, when he would not have authorized the expenditure if he had not had the Trust Fund to fall back upon. While for some years the Commonwealth may have no such fund to draw upon, still as years roll on we shall have Trust funds to a considerable amount. From past experience I have come to the conclusion that we should on the face of this Audit Bill tell the Treasurer and Auditor-General that no money belonging to the Trust fund is to be applied to any purpose except Trust fund purposes, unless Parliament has thought fit to authorize that expenditure by passing a special Act.

Sir William McMillan

- Where does the right honorable gentleman propose to. keep the Trust fund?

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Sir GEORGE TURNER

- The Trust Fund will be part of the public account. It will be kept in the Treasury, and if any attempt is made to draw on the Trust Fund for purposes other than those authorized the Treasurer will have staring him in the face the fact that he is directly and deliberately contravening an Act of Parliament. I think that will make him more cautious. Rather than draw upon the Trust funds, he probably will prefer to go to Parliament and ask for such authority as may be necessary to raise the money required ; or if he proposes that a portion of the Trust Fund should be lent to the Government for loan purposes - as may very well be done - he will obtain the necessary Act of Parliament and the Trust Fund will obtain the security of the Commonwealth, just as any ordinary lender would obtain security for an amount advanced. These are the principal provisions of the Bill, with one exception, and that is with regard to moneys in London. While it is almost impossible to lay down hard and fast lines as to what should be done with expenditure and receipts in London, we have given power to the Governor-General in Council to make such arrangements as are from time to time necessary for that purpose. No doubt he will follow as closely as possible the lines of the Audit Act, but circumstances might arise which might prevent him from rigidly adhering to all the provisions of this Act. Therefore we have given him discretionary power to make such arrangements as may be considered necessary. The other parts of the Bill relate simply to the penalties which are to be imposed. One clause gives power to the Governor in Council to provide that in the outlying parts of a State, where it is impossible to get a magistrate to take a statutory declaration, a document signed by the officer who has to sign any sworn statement is to be considered a statutory declaration, and the mere signing of that document will render him liable to the same penalties as if he had signed a statutory declaration and thereby committed perjury. The last clause gives the usual power to make regulations regarding the carrying out of the various clauses of the Bill, and provides the necessary forms. I have now placed before honorable members as briefly as possible the provisions of this Bill, which is I think practically a machinery Bill, and I shall be glad if any honorable members can give me any suggestions which will enable me to make it a perfect measure for the purpose " for which it is designed. We all desire that the fullest control shall be exercised over the gentlemen who have to deal with the receipt and expenditure of our money, but at the same time we must take care that the public creditor is not unduly delayed in receiving payment of any claims he may have against the State. That is the object we have had in view in the preparation of this measure, and I submit it to the House with the confidence that honorable members will give me every assistance they possibly can to perfect it.

Sir WILLIAM McMILLAN

- The Treasurer should be warmly congratulated upon the very complete and effectual measure that he has introduced. I have gone very carefully through the Bill and it seems to me not only to provide the usual safeguards, which are well known to the Treasurers of all the States, but to contain in addition a certain amount of original matter, part of which has been rendered necessary owing to the large extent of the Commonwealth and the dealings with several States, whilst a part is, I think, a distinct improvement on all other Bills of a similar character. No matter what the details of this Bill may be, certain things must be left to the administration, and I do hope that in laying down a system of public accounts we shall, as far as this Act and the safeguarding of the public interests will allow, make the provisions as simple as possible. _ I trust also that we shall not have, as we have had in New South Wales, one kind of statement exhibited to the public by the Treasurer and another account - by the Auditor-General. It seems to me, from a business point of view, that if books are based upon a proper system, the statement itself, in its very form, which the Auditor-General presents, should be an exact duplicate of the statement of the Treasurer, and that those points of difference which have so often occurred between the statements of the Treasurer and the Auditor-General should not occur in the future. There is just one matter in regard to the Auditor-General that is not provided for in the Bill ; he is not, I think - in fact, I am pretty sure - under the Civil Service Commissioner.

Sir GEORGE TURNER

- He is exempted by the Public Service Act.

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Sir WILLIAM McMILLAN

- There is no provision that he 'shall retire, unless otherwise arranged, at a certain age, and I think it would be well, especially in an office of this kind which requires the " closest possible attention and very

great, in fact enormous care, that there should be a limit put to the service of the officer. I am glad to see that the right honorable gentleman has initiated in these Commonwealth accounts what is known as the cash system. I advocated that myself many years- ago, but as the Government to which I had the honour to belong had a majority of only four, and as a great deal of prejudice and ignorance attached to the old methods, it was impossible to bring the new system into effect. However, the right honorable gentleman at the head of the Opposition transformed the financial system of New South Wales by adopting the cash system. Previous to that we had the votes carried on from year to year until there was almost inextricable confusion. The cash system is absolutely perfect from a bookkeeping point of view ; but, if I am in order, I would like to draw attention to the two modes in which, no matter what system is adopted, the public outside may be misled by the statement of the public accounts. One of these modes has nothing to do with the machinery Bill, but the other has. No matter how we may keep the public accounts, if we place to loan account what should be paid out of revenue, the public must be misled. That is a thing that no system of public accounts, and no machinery can safeguard, and it must be left entirely to the vigilance of Parliament to prevent misconception. I do hope that when we begin to deal with loan moneys under this Commonwealth Government, we shall be very careful that every farthing of loan money is devoted to purposes proper to loans.

Mr Crouch

- Could we not ask the Auditor-General to report upon that 1

Sir WILLIAM MCMILLAN

- The Auditor-General can never go beyond an Act of Parliament ; he is merely the creature of Parliament to see that this particular Act that we are passing is carried out in its integrity, and he cannot dictate or criticise Parliament in what it does on its own account. The other matter in which the public accounts may be misrepresented I find is provided for to some extent in the Bill. If we close our accounts under the cash system on the 30th . June, we might have £100,000 of money actually expended that , has not been taken into account. I want to be careful as to the phraseology in this matter. I do not mean commitments for the future, and I do not mean liabilities, but I mean work actually done for which an amount of indebtedness has accrued. Now, there is a provision to some extent dealing with that point, but I think we may with some advantage introduce a provision into this Bill by which, at any rate within three months after the end of the financial year, the Auditor-General should be required to hand to the Treasurer, to be placed before Parliament, an exact account of all the expenditure that has accrued, that had not been covered by the Government cheques during the previous year.

Sir George Turner

- - That is what I am endeavouring to provide for in the annual statement of the Auditor-General.

Sir WILLIAM MCMILLAN

- But I think it might be done within a certain time after the financial statement. That is to say, the Budget statement ought to be made as soon after the end of the financial year as possible. Honorable members do not want to wrangle, as too many Parliaments have wrangled, over pure matters of accounts ; there is no principle involved -in matters of accounts; members simply want to know the actual state of the public accounts at a given time.

Sir George Turner

- The Treasurer would in his financial statement give that information as nearly as possible.

Sir WILLIAM MCMILLAN

- But he does not.

Sir George Turner

- He ought to.

Sir WILLIAM MCMILLAN

- All the public and the Parliament desire to know is whether, as a matter of pure bookkeeping, the statement of the public accounts is a fair one. It is quite enough for us to take up our time in discussing matters of policy without hurling charges at one another with regard to this question. of pure accounts.

Mr Conroy

- Or impure accounts.

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Sir WILLIAM MCMILLAN

-With regard to another matter which I believe the right honorable gentleman has referred to he has probably met a sort of popular prejudice. There is a popular prejudice against the Treasurer using trust moneys, and I do not intend to cavil at the proposal by which an Act of Parliament, or instruction from Parliament, is necessary to enable a Treasurer to use these moneys.- After all, however, the whole system of public accounts is based upon public credit. The country is liable for these trust funds, and can conceive many occasions upon which, from a financial point of view, it would be useless when Parliament is in recess to leave trust moneys idle when the Treasurer is in want of funds. However, the Bill errs on the safe side. I do not think honorable members would care for me to go over the matters referred to so fully by the Treasurer. I congratulate him on this piece of work, which must have entailed a great deal of labour. It seems to me that it is almost as perfect as such a machinery Bill could be made, and therefore I hope we shall not take up much time in discussing it on the second reading. No doubt it is very necessary that a Bill of this kind should be passed as soon as possible, in order that the Treasury machinery may be placed in order.

Question resolved in the affirmative.

Mr V L SOLOMON

- Mr. Speaker, I rose to speak before you had declared " The ayes have it."

Mr SPEAKER

- I did not see the honorable member.

In Committee :

Clause1 (short title and commencement).

Mr Conroy

- I again protest against Bills being rushed through in this manner. This Parliament will be known as the slipshod Parliament.

Sir WILLIAM McMILLAN

- I find that some of my friends have not had an opportunity of seeing this Bill. I thought that the Bill had been in their hands a week at least.

An Honorable Member. - So it has. Mr. Conroy. - So it has not.

Sir WILLIAM McMILLAN

- If I had thought that honorable members had not had an opportunity of seeing the Bill I would have asked my right honorable friend not to go beyond his speech on the second reading, because I do not think he desires to curtail discussion.

Sir George Turner

- Not at all.

Sir WILLIAM McMILLAN

- At any rate, I presume that the Chairman will allow a reasonable latitude in discussing the first clause in committee.

Sir GEORGE TURNER

- I have no desire to unduly rush the Bill through, but I would point out that this is a Bill that can better be dealt with in committee than in the House. I intend now to report progress, and allow the matter to remain over until the Public' Service Bill has been dealt with. I thought it wise to make a statement to the House on the second reading, in order that honorable members who had not had experience in this matter might have my explanation before them. Under these circumstances I propose to report progress.

Progress reported.

COMMONWEALTH PUBLIC SERVICE BILL

Second Reading

Debate resumed (from 13th June, vide page 1 1 33) on motion by Sir William Lyne -

That the Bill be now read a second time.

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Sir JOHN QUICK

- I was under the impression that the debate would be resumed by the honorable member for Lang, but although I have been taken somewhat by surprise, I do not desire to see the second reading agreed to until I have availed myself of the opportunity to make a few remarks upon the general principles of the measure, especially after the invitation which has been held out to us to do so. I think that our work in

committee may be facilitated, by a thorough discussion of the general principles of the Bill on the second reading stage. If we do not have this discussion we shall not have a general and comprehensive view of the whole measure when we come to tackle individual clauses. The draftsmen who prepared the Bill, and the Minister in charge of it, have had at their disposal a wealth of material in the Public Service Acts which have been in operation in the various States for many year's past. I have a distinct recollection of the time when the cry arose in Victoria against what is known as political patronage, and in favour of removing the administration of the public service from the responsible Ministers to departmental boards. I believe that there were many abuses which led to that agitation, but that so far as the Members of Parliament of that time were concerned - I think that the agitation of which I am speaking took place in 1883 or 1884 - they did not desire to retain for any purposes of their own what is known as political patronage; and I believe that they, as well as all Members of Parliament of the present day, would agree that political patronage, even if it can be exercised, is an utter nuisance with which we did not want to have anything to do. But in considering this question of 'the proper administration of the public service with a view to legislation' in regard to it, it is advisable to ascertain what political patronage means ; and as three glaring instances of it I may mention - first, the helping to get a man a billet; secondly, the helping him to get promotion; and thirdly, the helping him to get an increase of salary.

An Honorable Member. - And helping him to get out of trouble !

Sir JOHN QUICK

- I do not think that that would be an instance of political patronage ; it would be rather a matter of administration. ' I believe that I am voicing the opinions of the members of the Parliament of Victoria fifteen years ago, of the members of this Parliament and of the members of the Parliaments of the States when I say that we do not want to have anything to do with political patronage of that kind. But, whilst not desiring to exercise patronage or influence of any kind for political considerations, we should inflexibly resolve that we will see that the public service is properly manned and equipped, and that its business is conducted with efficiency and satisfaction to the whole community. The question is how far can this result be obtained by transferring not only political patronage but power and control from responsible Ministers to irresponsible boards. I am not at all sure that many of the Acts from which this Bill has been compiled have been successful in their operation, though the framers of them may have intended well, and I have not the slightest doubt did so intend. If we glance back along the track of the legislative efforts of the Victorian Parliament during the last fifteen years we shall see that the statute-book is strewn with Amending Acts. Year after year measures have been brought in to remedy mistakes in the original organic Act, or to rectify anomalies which have grown up under it; and I should like to know whether the responsible Ministers of Victoria are even now satisfied with the results of that legislation. So far as patronage and administrative work are concerned in the public service of Victoria, I find, after having examined some of the Acts which have been passed, that a lot of the work which it was intended should be done by the Public Service Commissioners had actually to be done by special classifying boards brought into existence by special legislation. For instance, the Reclassification Board of last year, which had for its chairman Judge Chomley, a very able man, was created under a special Act of Parliament. That fact shows that after fifteen years of experience the provisions of the original Act were found to have broken down. The classification and the grading, which were supposed to have been done by the Public Service Commissioners, a highly paid board, was not done, and it was necessary for Parliament to intervene and pass a special Act to rectify the anomalies which had arisen.

Mr Deakin

- The course to which the honorable member refers was necessary because the original Public Service Board had been dispersed, and its duties cast upon the Audit Commissioners, who had already quite enough to do.

Sir JOHN QUICK

- But does it not show that the Parliament and Ministry of Victoria were not satisfied with the results of the original scheme ?

Mr Deakin

- Hear, hear.

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Sir JOHN QUICK

- However, it is not necessary to discuss that matter now. I am drawing attention to the subject merely to urge a word of caution, by suggesting that we should not join in any indiscriminate cry for the removal of political power from responsible Ministers to an irresponsible board. I would ask the House, in dealing with this Bill, to discriminate between patronage coming within the definition of the instances, I have mentioned and political power. There is undoubtedly an essential difference between patronage and political power. I say without fear of contradiction that this Parliament should not part with any political power that it may be deemed advisable and necessary to retain in order to secure efficiency in the administration of the public service. I cannot see why a Public Service Commissioner can more effectually wield political power than can a responsible Minister. But before proceeding to discuss and to draw attention to the elementary principles of the Bill, I think it would be wise to keep steadily in view what should be regarded as the indispensable principles of a public service scheme. Honorable members will find this matter well discussed in a most valuable and interesting book in the Library, which I have recently had the pleasure of reading. It is a work entitled "Efficiency and Empire," and is written by Mr. Arnold

White. Mr. White draws attention to what he calls the three axiomatic principles which should determine and regulate the structure of our public service. He says that first of all there should be capacity. I would like to enlarge upon that statement by modifying it somewhat. I would say that there should be, firstly, physical capacity, secondly, educational capacity, and, thirdly, training, fitness, and aptitude. The possession of that threefold capacity should be a preliminary condition to the entrance of any person into the public service of any country. The preliminary examination should test not merely the applicant's education or his aptitude, but should test his educational abilities as well as his general fitness and aptitude. Then a measure providing for the administration of the public service should properly define the duties of the public servants. There should be a classification and grading of duties, so that every man might know what duties were expected of him, and so that there might be a chain of personal responsibility right through the service, from the Minister at the head of a department to the messenger at the bottom of it. A safeguard of efficiency should be provided by the constant inspection and supervision of work. Not only should a man be told to do his work, but provision should be made to supervise him, to see that he did what he was told. Finally, the public servant should be fairly remunerated. He should receive a fair day's pay for a fair day's work, according to his labour and responsibilities, and the position in which he is placed. Provision should also be made for holding out to him reasonable hope of promotion. The public servant should not look upon himself as a lifeless piece of mechanism in a dead machine, but should regard himself as part of a living organism, and should have a knowledge and consciousness that if he does his duty he will be told in the course of time to step up into higher positions. These, I think, are the fundamental principles of any fair scheme of public service administration, and I now invite the attention of honorable members to the consideration of the question how far they have been recognised in this Bill? Under clauses 22, 23, and 24 provision is made for entry into the service. Taking the various stages and steps from the beginning, I would invite honorable members' attention, within the limits of time at my disposal, to the progress of a man through the public service, so that they may fairly grasp the Bill. Provision is made for entry into the service, and that provision, I consider, is quite within the principles as laid down by Mr. Arnold White. Those principles I think, all reasonable public men will agree with - namely, that before a person can enter the public service under the Bill, provision should be made that he pass a physical test - a provision, I apprehend, will be made for a physical test - and an educational test. If a candidate pass these tests, he may be admitted into the service; but the Bill goes beyond these, and provision is made for a probationary period of six months, within which the officer may be submitted to a third test to show whether he has the aptitude and fitness to allow him to go on in his career as a public servant. These are excellent provisions, which could not be improved on, and, so far as this Parliament is concerned, I believe they will be unanimously supported. I do not believe there is a single member in the House who desires to have anything to do with the entrance of a man, woman, or child into the public service, and this provision will put the entry of a person into the service absolutely beyond the reach of political patronage, political influence, or nepotism of any kind.

Mr JOSEPH COOK

- Not any person; there are other divisions besides that.

Sir JOHN QUICK

- So far as the clerical division is concerned.

Mr V L SOLOMON

- So far as the lower grades are concerned.

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Sir JOHN QUICK

- So far as the clerical division is concerned there are all these safeguards, and provision is made for regulations as to the mode of entry into the professional division and general division, which, I apprehend, will follow on the same lines. If those provisions are made we can rest assured that entrance into the public service of the Commonwealth will be well guarded and well provided for. The next question is - what is to be the tenure of the public servant once he passes his examination and has gone through his period of probation ? What is his legal position ? We find by clause 57 that the public servant has no freehold tenure of his office, and with that principle I thoroughly agree. We ought not to appoint public servants in this country on anything like a freehold tenure, as they are in some divisions of the public service in the old country. When public servants of the future enter the service of the Commonwealth - and this clause, I apprehend, will apply only to new appointments - they will enter with this clause staring them in the face. They will know that if in course of time any great emergency, or any great change of a widespread character arises, demanding extensive alterations in the service, the Government of the country is the supreme master, and can make such changes as may be necessary in the interests of the Government and the Commonwealth without being sued in an action for wrongful dismissal. But although this clause is in the Bill as a safeguard of the rights of the Commonwealth - of the supreme power of the Commonwealth - no one need apprehend that any injustice will be done under that provision. Although the public servant does enter the service with that knowledge, and with this possibility of being dismissed at any time on public grounds, he need be under no apprehension that that will ever be done - so long as he does his duty well, and so long as there is work for him to do, his services will be retained. If clause 57 be exercised in a tyrannical manner, it will be exercised by responsible Ministers - Ministers responsible to this House ; and if Ministers exercise it unjustly, they stand the liability of being ejected from office in the same way as they have ejected the public servant. So far as the clerical division is concerned, it .will be interesting to notice how the young public servant gets through his various subdivisions of the class. During the previous night's debate, some doubt seemed to exist in the minds of honorable members as to the mode of progress from the lowest subdivision to the highest subdivision of a class. Some members seemed to be under the impression that the progress is automatic - that is, from year to year, without the intervention of any Ministerial mandate - while others were doubtful. As the result of a careful examination of the clauses relating to this matter, I have arrived at the conclusion that there is no provision for the automatic progress of a public servant from one division to another without the intervention of some authority. Provision is made for his being promoted from one subdivision to another after a service of twelve months. But, strange to say, the Bill does not say who is to promote him - whether he is promoted from one subdivision of a class to another by the Minister or by the commissioner. That remains in doubt ; I cannot find a clause stating exactly who is to do it. No doubt in the absence of a provision to the contrary the Minister will promote and take the responsibility ; but I think something ought to be put into the Bill to show by whom a public servant is to be promoted.

Mr Deakin

- Does not clause 38 provide for that ?

Sir JOHN QUICK

- I do not think so. Clause 38 refers to an office and not to a subdivision.

Mr Deakin

- Clause 36 provides how a vacancy is to be filled.

Sir JOHN QUICK

- That clause refers to offices, to which subject I. will come presently. I do not know whether the same thing is intended in the clause, but dealing with the words which appear in the Bill I say there is no provision saying in exact words when a public servant is to be promoted from one subdivision to another. It may be contended that under clause 36 he is to be promoted from one office to another, but that clause only deals with offices. My first point is that there is no provision of the kind I have indicated, and the Bill ought to be made clear, and this matter not left to some general clause as to how an officer is to be

promoted from one subdivision to another.

Mr Thomson

- What about clause 9 ?

Sir JOHN QUICK

- Clause 9 deals, I think, with classification by the commissioner, and not with promotion from subdivision to subdivision. I agree with honorable members that so far as the fifth class is concerned provision ought to be made for the progressive advance of a young officer from his class to the top, in so far as he shows he is entitled to promotion, and does his work and has no black mark against him. The salaries within the fifth class are very moderate, and I do not see that any serious harm will be done by allowing the advancement of a public servant from subdivision to subdivision, unless he has done something to disentitle him to promotion.

Mr Mauger

- Or unless he has failed to do something causing him to be placed upon the black list.

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Sir JOHN QUICK

- Or, of course, unless he has failed to do something causing him to be placed on the black list. Another point is that I do not see any provision for promotion from class to class. Such a provision may be found in some remote or ambiguous clause, but I do not see it stated in so many words that a man may be promoted, from class to class, or under what conditions he may be so promoted. It is true that it is said a man shall not be promoted from one class to another until there is a vacancy in the higher class, but still it seems in doubt who is to promote from class to class - whether the promotion is vested solely in the commissioner, or vested solely in the Minister. With regard to subdivisions, I notice that there is a clear provision made by clause 21, sub-clause (8), under which subdivisions may be skipped. That is, a man may be promoted from the fifth subdivision to the fourth or from the fifth to the top of the class so far as I can see, but I suppose that clause will be brought into operation only under very special circumstances. I agree that some provision of the kind ought to be made so long as it is surrounded by proper conditions and safeguards. The Ministry or the Government of the day ought to be in a position to pick out within the fifth class or fourth class, as the case may be, any specially promising civil servant of talent and promote him over the heads of others. No doubt that is a very great power, which is considered by some to be dangerous. But all power may be abused, and, in this case, I think the power is a useful one, being accompanied, so far as I remember the clause, with three conditions - first the recommendation of a permanent head, secondly the approval of the Minister, and thirdly the sanction of the commissioner. Anything that is done with so many safeguards can hardly be regarded as of a dangerous character. I would like to know whether, under the Bill, there can be any similar skipping of a class - I ask the Attorney-General to take a note of this - and, if so, under what authority and with what safeguard. It is quite clear that public servants may be transferred from division to division under clause 35.

Sir William McMillan

- Will not the same safeguarding principle of the commissioner run right through the Bill ?

Sir JOHN QUICK

- I am not attacking the Bill. I agree in reserving to the Minister as much power as may be deemed advisable for the efficiency of the service, but it is just as well we should understand what we are doing.

Sir William McMillan

- The Bill is inconsistent, doing one thing in one part and another in another.

Sir JOHN QUICK

- It is quite clear that there is a provision for skipping from subdivision to subdivision, but I want to know whether an officer may skip from class to class - in other words, may he skip from the fifth to the third class. If an officer can do that, let us understand so and discuss the matter on its merits. But before we discuss it, let us understand if that can be done, and let us know who is to be responsible for the exercise of the power. I can understand that if it is to be exercised with the same safeguards as the skipping from subdivision to subdivision, there can be hardly any serious objection raised. If the Minister, the permanent head, and the commissioner, all three, join in recommending that a man shall be jumped from the fifth class to the third class, or to the first class, then no doubt such a thing would not be done except in the

interests of the public service, which must prevail over the interests of individuals who may, no doubt, feel aggrieved. Clause 27 contains a very important power. It is a dispensing power - power to dispense with examination and the ordinary probation system in special cases. If the permanent head is prepared to recommend, and the commissioner is prepared to nominate some person outside the service to fill a vacancy for which there is no one qualified in the service, then the Minister may make the appointment. That is an example on the same lines as skipping from subdivision to subdivision-, and I certainly concur in the proposition that the Ministry of the day, if they find that there is no one in the public service who is thought to be good enough for the position, ought to be allowed to go outside and select from the whole world.

Mr Mauger

- Would the honorable and learned member not go further and say that if there is any one outside who is better fitted for the position his services should be obtained 1

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Sir JOHN QUICK

- I do not say that I would go as far as that. It is a matter for consideration whether the commissioner should be bound to certify that there is no one in the service suitable for the position. I am not going to cripple the hands of the Executive Government in a matter of this kind. If the whole of these statutory authorities, commissioner, permanent head, and Minister agree, this House may rest assured that no wrong has been done, and that what has been decided upon is in the interest of the service. Under clauses 17 to 20 provision is made for salaries and wages. Those who cry out loudly against political patronage had better look to these clauses, because under the provision relating to the determination of salaries and wages, a very great amount of power is reserved to the Governor in Council. I will come to that point again presently, but I am now taking a rapid general survey of the Bill. With regard to classification and grading, provision is made by clause 9, by which the commissioner is endowed with power to determine the division, class, subdivision, and grading of every officer in the service. Clause 9 embodies the most important power entrusted to the commissioner. In fact, I venture to say that the clause is the only clause in the whole of Bill which gives the commissioner anything like unfettered power on the face of it. But contrast clause 9 with clause 35, sub-clause (c) and what do we find? Under the latter clause the Governor-General may -

Raise or lower the classification or grading of any office, the duties of which have been materially changed.

Mr McCay

- That relates to the office and the other clauses to the officer.

Sir JOHN QUICK

- I know that.

Mr Deakin

- Probably my honorable and learned friend did not hear the Minister for Home Affairs say that the commissioner had been omitted by accident from the clause, but was intended to be included.

Sir William McMillan

- The Minister said he would have an amendment prepared for that purpose.

Sir JOHN QUICK

- It strikes me as being very extraordinary that in clause 9 the commissioner should be given power to determine the class and grade of every officer, and yet under sub-clause (c) of clause 35, the Governor-General is given power to alter the grading of the office. I do not see any reason why, as a matter of distribution of power, the commissioner as well as the Minister should not have the power of raising or lowering the classification of an office.

Sir William McMillan

- We should give the commissioner a general power in these matters.

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Sir JOHN QUICK

- Exactly. At present under the Bill one clause has to be read by means of another and is qualified by another. I suppose the reason for this conflict is that clause 9 has been copied partly from the Victorian Public Service Act, partly from the Canadian Act, and partly from the Queensland Act, whilst clause 35

has been copied from another Victorian statute altogether. It strikes me that there has been too much use of scissors and paste in the preparation of this Bill. If there had been a little more design and checking these little anomalies would not have occurred. Then there is a provision for transfer from departments. I have heard objections taken to the principle of transfer from department to department. No doubt these objections when advanced are *prima facie* sound and solid ones, but why should the power of the Executive Government be restricted? Why should the Government be limited to making a selection merely from one department? The whole field of the public service should be open to the Executive of the day under the checking power of the commissioner to make any selection. I admit that we should not encourage specialization by that means. No doubt by keeping one man in one department and not holding out to him any hope of transfer to another, he may become specialized, and he may be a better man in consequence; but on the other hand he may have got into a certain rut, being without any prospect of being transferred to any other sphere, and may thereby have become ossified, stereotyped, so to speak. Therefore I approve of the principle of the Bill which gives power to the Minister coupled with the safeguards mentioned in the direction suggested. Now I will draw attention to the contrast between some powers invested in the Minister and the powers proposed to be vested in the Governor-General in Council. I think on a careful analysis of this Bill it will appear that the powers proposed to be vested in the commissioner are of a very limited character indeed. I do not say that as an objection to them but I do suggest that there must be a large amount of work of an administrative routine kind proposed to be vested in the Governor-General in Council under this Bill, which work might be fairly and reasonably, and without any interference or impairment of Ministerial responsibility, be referred to the commissioner. I will draw attention to this matter more particularly presently. Under clause 5 the commissioner has power to report. Under the same clause he has power to perform other duties. There is very little in that. Under clause 8 he has power to direct inspectors to inquire into the workings of a department. There is not much in that. Again, under clause 8 he may propose to the Governor-General in Council a redistribution of officers or new methods of work. There is not much in that. There is certainly no finality about it, because the Governor-General in Council may reject the recommendations of the commissioner. Under another clause he may report that there is an excess of officers. That is a mere report, and nothing necessarily follows upon it, because the power is reserved to the Governor-General to decide whether the excess officers shall be transferred to another department, or dispensed with. The only clause which gives any final or determinative power to the commissioner is clause 9, which says that he may - Determine the division, class, or subdivision of class or grade of every officer, and shall keep a record of the same.

That is a most valuable and proper power to vest in the commissioner. Clause 10 says that he may inquire into matters requiring investigation, and may summon witnesses. Clause 11 says that he may furnish yearly reports. These are merely duties giving no real power to the commissioner. We give him power of a kind, but it is a cramped power. He may nominate, on the recommendation of a permanent head, any officer for promotion from one class to another, notwithstanding that the said officer has not served for a year in one subdivision. Honorable members observe that the patronage of allowing a promotion from one subdivision to another is divided between the permanent head, the commissioner, and the Minister. I should like to know why the permanent head should have anything to say in a matter of this kind. Why do we want three different sets of authorities to decide such a question? Surely as we are to appoint a commissioner of the high class that has been suggested, and at a large salary, he ought to be able to nominate any person for promotion from one subdivision to another. Why introduce the permanent head at all? It seems to me that under this Bill the permanent head will have as much patronage as the commissioner.

Mr Kennedy

- Would not the permanent head have a better knowledge of the work?

Sir JOHN QUICK

- Why put in the commissioner at all then? It seems to me that the mechanism is altogether too great for a provision of that sort.

Mr Kennedy

- That is a mere indication to the commissioner.

Sir JOHN QUICK

- Then the commissioner will be a mere echo of the permanent head. The permanent head has to recommend, the commissioner will nominate, and the Minister will appoint. The permanent head will be thinking about patronage when he ought to be thinking about efficiency of administration

Mr Mauger

- A very dangerous power.

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Sir JOHN QUICK

- Under clause 27 the commissioner may nominate persons from outside the service to the special or professional division. Honorable members should observe that the permanent head is to have a voice in that matter, whilst the commissioner is not to be allowed to nominate an outsider for special work under special conditions. The permanent head is to have a voice, but I want to know why he should have anything to say if we are to have a commissioner? We are to trust the commissioner, giving him statutory authority and a large salary, and yet he may be blocked by the permanent head, who may perhaps have some ideas of his own to which he wishes to give effect. The clause which deals with the nominating power of the commissioner is clause 38. That brings me to the question which I referred to at an earlier stage as to what is the meaning of this clause. Clause 36 says -

Whenever a vacancy occurs in any office and it is expedient to fill such vacancy by the promotion of an officer the Governor-General may subject to the provisions of this Act - appoint to fill such vacancy an officer of the department in which such vacancy occurs or, subject to ' various contingencies, an officer from any other department. That is the gist of the clause. What I wish to know is whether the expression " when a vacancy occurs in any office" means "when a vacancy occurs in a subdivision " or " when a vacancy occurs in a class "?

Mr Deakin

- It may be either.

Sir JOHN QUICK

- Why does not it say so?

Mr Deakin

- It is not necessary to say so; the provision covers all cases.

Sir JOHN QUICK

- It means any office?

Mr Deakin

- Yes.

Sir JOHN QUICK

- Then I would like to know whether clause 37 is to be read in conjunction with clause 36, because clause 37 says that " no officer shall be promoted from a class in the professional division or clerical division to a higher class, &c." There the expression is promotion from class to class; whereas in the other clause it mentions promotion from an office. Is clause 36 to be read in conjunction with the qualification of clause 37 as to examination?

Mr Deakin

- Yes, if the promotion is from class to class.

Sir JOHN QUICK

- And is it also to be read in conjunction with clause 38, under which there are to be all the safeguards, in the shape of the recommendation of the permanent head, and the nomination of the commissioner. That is what I would like to know.

Mr Deakin

- The key to the honorable and learned member's questions as to many of these matters is to be found in clause 9. The word "office" commences there, and runs right through the Bill, and the clauses are to be read in conjunction.

Sir JOHN QUICK

- I have been trying to follow the wording of the Bill through the various clauses, to ascertain the meaning of them, but the wording is rather puzzling. It may be that there is a uniform meaning, but I think that it might be made clearer than it is.

Mr Deakin

- I think the honorable and learned member will find that it is uniform, although it might be made plainer.
Sir JOHN QUICK

- I would like this point to be made quite clear. Is clause 36 to be read in conjunction with clauses 37 and 38? Because, if it is, then before a vacancy can be filled the officer must have passed the examination prescribed by clause 37, and, in addition, the Governor-General in Council will not be able to act unless the recommendation of the permanent head and the nomination of the commissioner have been first secured. If that be so, I do not see any objection to the provision, but I only want to know for certain whether it is so or not.

Mr Deakin

- That is the intention.

Sir JOHN QUICK

- Very well. I have been directing the attention of honorable members to the powers of the commissioner, and it seems from the brief summary I have given that the commissioner has very little power under this Bill, and very small duties, and what all these inspectors are to do I am sure I do not know. I do not see much work for the commissioner or for the inspectors under this Bill, but I see more work provided for the Governor-General in Council than for either.

Mr Deakin

- Have the chief inspectors and inspectors of banks nothing to do ?

Sir JOHN QUICK

- I would like to invite the attention of honorable members to some of the political patronage that remains vested in the Governor-General. Under clause 8, sub-clause (3), the Governor-General in Council may transfer excess officers from one department to another, and he may retire from one department excess officers who may not be wanted in another department.

Mr Deakin

- That is on the report of the commissioner, who is associated with them.

Sir JOHN QUICK

- The commissioner reports upon the retirement of excess officers, but he does not check the transfers. As a matter of fact he does not check the retirement itself, and there is absolutely no check whatever. I do not say that it is wrong. I only want to know whether that is intended.

Mr Deakin

- The commissioner is intended to advise on all these matters.

Sir JOHN QUICK

- But there is nothing in the Bill to show that he is required to advise on retirements or transfers, and, although I have looked through the Bill, I can find no check on the power which is vested in the Governor in Council.

Mr Deakin

- The intention is as I state.

Sir JOHN QUICK

- Then it ought to be expressed.

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Mr Deakin

- That is all covered by the provision in clause 5 -

Such commissioner shall submit for the consideration of the Governor-General reports as to any matters requiring to be dealt with by the Governor-General under this Act.

That covers everything the Governor-General does.

Sir JOHN QUICK

- There is nothing there to show that before the Governor-General can retire an officer, he must have the sanction or recommendation of the commissioner, but, apparently, he may act independently.

Mr Deakin

- Look at sub-clause (8) of clause 5.

Sir JOHN QUICK

- The clause that I have been referring to deals with excess officers, and provides that officers are to be retired when there is an excess, and the Governor-General may transfer such officers from one

department to another, or, if there is no vacancy, he can retire the officers.

An Honorable Member. - But the commissioner is specifically named.

Sir JOHN QUICK

- But that is under another clause, and relates to another power altogether. Then, again, there is a very great power vested in the Governor-General under clause 16, to which I would invite the attention of honorable members. A great deal of work is thrown upon the Governor-General which might fairly be handed over to the commissioner. The Governor-General may direct which officers shall be included in the special, clerical, and professional divisions.

Mr Deakin

- The general clause to which I referred the honorable and- learned member is intended to apply to that as well.

Sir JOHN QUICK

- I do not understand why the power should be vested in the Governor-General to decide what officers should be included in the various divisions. That is a power which might fairly rest with the commissioner, subject to the veto of the Governor-General in Council. Another very important power is given under this Bill which may be objected to by those who have described it as political patronage. Power is given to the Governor-General under clause 20 to prescribe the rate of pay to be given to any officer. That is an enormous power, and it seems to me an undesirable thing that it should be vested in the Governor-General instead of in the commissioner. I think the Governor-General in Council might be relieved of a great deal of trouble by handing all these powers over to the commissioner, the right of review being reserved to the Governor-General in Council.

Mr. Deakin. - That is all that is intended.

Sir JOHN QUICK

- If that is intended it should be expressed. As the Bill stands the powers I have referred to are vested solely in the Governor-General in Council, who may fix the rate of salary of any officer in the professional, clerical, or general divisions within the limits of the class or grade of his office. That is a vast power.

An Honorable Member. - That already exists here, and has worked very badly.

Sir JOHN QUICK

- The provision amounts to this, that, although there is a schedule defining the salaries of those who are engaged in the clerical division, under this clause 20 the Governor-General may select any particular individual within a certain class and fix his salary, subject only to the restriction that it must be within the limits assigned to the class. That is- a very great power, and I do not see at the present time the necessity for it. In a classified service with rates of pay specified in a schedule, there should be no necessity to give the Governor-General power to regulate salaries. There may be reasons for this provision which I have not yet heard. Under clause 35, to which I have already drawn the attention of honorable members, there is a very great power which is apparently unqualified, because it provides ^ that the Governor-General may from time to time do certain things without any reservation whatever. This clause does not say, as is provided in clause 36, that the Governor-General may do certain things " subject to the provisions of this Act." Under clause 35 the Governor may create a new office at the request of the permanent head of the department. Of course there is a provision there that he" can act only under certain conditions, but it is also provided that he may abolish any office without being subject to any condition whatever. There is no check on his action in that matter, and I would like to know whether it is intended that there should be.

An Honorable Member. - The Minister for Home Affairs promised to insert a provision that the commissioner would require to be consulted.

Sir JOHN QUICK

- But is the commissioner to be consulted in regard to all these sub-heads of clause 35 ?

An Honorable Member. - Yes ; the Minister said so.

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Sir JOHN QUICK

- If that is so, I have nothing further to say. It is not necessary to go through all these clauses, but I would again point out that there are powers vested in the Governor in Council which the Executive ought not to be . anxious to assume or exercise. I would like to know why they should want to transfer or retire officers, or create new offices, or transfer officers from the clerical to the professional division, and so on. I have

merely drawn' .attention to a number of clauses in this Bill for the purpose of debate, and I have not been actuated by any captious spirit. ' I think it is desirable that we should all understand the Bill, and should help one another ; and as one honorable member has made a very strenuous appeal in certain quarters to secure what he has described as the destruction of political influence, I would draw his attention to the fact that this Bill is a veritable reservoir of political power, and that it confers a great deal of political influence and a small amount of political patronage. Political power may be necessary - such political power as is required to maintain the efficiency of the service, and that we ought to retain. Any political influence that may be necessary to secure the efficiency of the service we should also retain, but as regards political patronage, I think that the less we have of it the better. If it is necessary in connexion with a certain grade of office, the Governor in council ought to exercise it, and under this Bill he will exercise it, subject to reasonable safeguards in the shape of the criticism of Parliament, and also the active criticism of the public. On the whole, I think this Bill is a very good one. It is capable of improvement in the direction I have mentioned, by the transfer of a certain amount of work that is more in the nature of drudgery than patronage from the Executive Government to the commissioner. To that extent I think the Bill may be largely improved. We want the Executive to have time to deal with great issues and great principles, to attend to the preparation of Bills, and to review legislation and administration of a broad federal character. We do not want Ministers of the Crown to have their time wasted in dealing with a large number of petty details which may very well be transferred to the trustworthy officers who are provided for under the Bill ; but, at the same time, I would warn them not to part with any powers that may be necessary to secure the efficiency that we are determined to maintain in the service of the Commonwealth.

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Mr McCAY

- In one of the American magazines - I think it is the Century-there is a writer of whom am very fond, and who, under the name of " Petroleum Flynn," comments from month to month upon the laws of his country. In one of his articles he says that he thinks that in every Act of Parliament - I shall not attempt to reproduce the accent which is suggested by the spelling - there should be a section stating that its provisions mean what they mean, and not what they say. By that remark the writer refers to the fact that the verbiage of Acts of Parliament is frequently such that it can be torn to pieces by laymen as well as by lawyers, and that while one meaning is intended, the real meaning of a provision may be quite the reverse. In addressing myself to this Bill this afternoon, I shall follow" Petroleum Flynn's " advice, and take it that its provisions mean what they mean, .and not what they say, in any case where the drafting does not express what I imagine to be the intention of its framers ; reserving all verbal criticism of the clauses until we get into committee. I think that no honorable member need apologize for addressing himself to this question. Most of us have had more or less experience in the various State Legislatures of the trouble which the public service question has caused. We know that the time of State Parliaments has been taken up with the discussion of matters affecting the administration of the public service to a greater extent than it would have been if the public services of the States had at the start been settled upon a proper basis. In entering upon the work of the Commonwealth, which will have to be carried into effect largely by the public service, after the Legislature has determined the nature of that work, no time spent in perfecting a measure providing for the administration of the public service can be regarded as time wasted, and no honorable member need fear that his contribution to the debate, however humble, will be unnecessary ; because if each speech contains but one useful suggestion it will not be made in vain; In framing the Bill, its authors should have had in their minds a clear and definite idea of the system which they proposed to follow ; but, whatever the original scheme may have been, I think that at times it has been forgotten in the modifications which the measure has undergone, so that we can now find in it distinct traces of two totally different ideas of public service construction. I desire to place before the Chamber in general terms, but as briefly as I can, my idea of public service construction, and to point out wherein I think the provisions of the Bill differ from it. In my judgment the words " as may be prescribed" occur far more often than is necessary. Unfortunately the limitations of modern parliamentary government compel us to delegate to various authorities the power to make regulations prescribing the conditions under which certain Acts are to be performed. As a consequence, as many honorable members are aware, while an Act may be very short

the regulations under it may be very long, so that the layman who consults it to ascertain what the law is on a particular subject may be very much deceived if he fails to read the regulations also. I know an Act passed by the Parliament of Victoria which says only that a certain sum of money shall be used for a certain purpose, the whole scheme of expenditure being provided in the regulations. That kind of legislation should, where possible, be avoided. I acknowledge, "of course, that we must have regulations, because we cannot provide for every contingency in an Act of Parliament ; but I do not like to see clauses in a Bill giving power to some subordinate authority to make regulation after regulation on subject after subject. I shall not at the present time raise the question as to how far this Parliament is competent to delegate the lawmaking powers given to it by the Constitution, and as to whether regulations should not be provided entirely within an Act itself ; but I say that this Bill should be elaborated a little, in order to express more definitely what the exact powers of the officers to be appointed under it are to be, and what is the exact work that they are to do. In dealing with the public service of the Commonwealth we desire to retain parliamentary control, while doing away with political influence, in the sense in which I understand the word "influence." I cannot agree with the honorable and learned member for Bendigo that we should retain political influence at all, because to me the words mean the exercise of influence by some portion of the Legislature - either the Executive or an individual member - for the benefit of one person or of a class of persons to the detriment of others. At any rate, I think that the term has, if I may use a logician's expression, a dyslogistic meaning. We must retain parliamentary control, but endeavour to get rid of political influence. Of course it is easy to make a statement of that kind, but the making of it does not help the Government much in regard to the Bill. It is, however, necessary to start with such a statement as a basis. But I do not intend to confine my remarks to the enunciation of nice general statements which every one would applaud and no one be willing to dissent from. In constructing a public service scheme, with the ideal object in view - because it is an object which cannot be completely attained - we have to consider the various things which are necessary to the constitution of a public service and the carryout of its work. To my mind the subject - if I may be permitted to follow the example of the pulpit - may, like all Gaul, be divided into three parts - the construction scheme or creation of the service, the composition of the service, that is, the determination of the individuals who are to compose it, and the duties which have to be carried out by those individuals when appointed. The construction or creation of the service includes, it seems to me, the determination of the offices that have to be filled, the determination of the salaries and allowances that have to be paid in connexion with those offices, and, as a subsidiary matter, so far as Parliament itself cannot do it, the passing of regulations relating to those subjects by a delegated authority. The composition of the service consists, to my mind, in the selection of the individuals who are to fill the public offices ; and connected with it is the question of promotion of individuals from time to time, and the question of the reduction of their salaries and their dismissal. The third part of the subject consists of the work to be done by the public servants when appointed. It seems to me that that division, whether right or wrong, is a logical one, and that when one can discover a clear distinction between the powers that have to be exercised - and I think that it is fairly clear here - it is not very difficult to distinguish between the persons who are to exercise them. It seems to me that we have available, - as the symbols of those who should exercise the three sets of powers, three obvious persons or corporations. The construction of the service is obviously the work of Parliament, to be performed by the Legislature itself or through its responsible delegates, the Federal Executive, who are called in the Bill the Governor-General, meaning the Governor-General in Council. It seems to me that Parliament or its servant, the Executive, should take the responsibility for the creation of the service, so far as the determination of what officers are required and of what salaries shall be paid for the fulfilment of the duties of those officers is concerned. This, of course, does not imply that Parliament or the Executive will act without advice, but it is with that authority that the actual responsibility and power should rest. Parliament and its responsible Ministers should retain the power of creating the scheme and framework of the service, and of determining the rate of salaries and matters of that kind. With regard to the second division of the subject, Parliament having itself, or through its responsible Ministers - under regulations made by the Governor-General in Council where express provisions cannot be embodied in an Act - determined what offices are required for the proper carrying on of the public service, must determine who are to fill those offices. It is quite impossible that this second part of this work should be performed by Parliament or its responsible Ministers. We know, of course, that Parliament cannot make individual

appointments or promotions, or determine upon individual dismissals. It is because Parliament has too often been called upon to consider these matters in the past that we are trying to regulate the public service by this Bill. If Parliament, however, does not do the work, its responsible Ministers are the only part of the political power that can be called upon to do it. But it seems to me that it is a proper thing to say that if the work is in its essence, apart from the question of convenience, not suitable work for Parliament to undertake, the probability is that it is in its essence not suitable work for the representatives of Parliament - the Executive, that is the Governor-General in Council - to undertake. Therefore, it seems to me that the second authority created by the Bill, the commissioner, is the person to whom this power should be delegated. If honorable members look at the Bill, they will find that with a few exceptions, to which I shall refer, all appointments, promotions, reductions, and dismissals, are to be made by the Governor-General. He may consult one person, or he may consult a score of persons before coming to a decision, but, exceptions excepted, the final authority rests with him, and with him alone. In the vast majority of cases, this power is exercised upon the advice of the commissioner. In many places the Bill says "The commissioner recommends;" in other places it says, "The commissioner nominates," and in one place it says that the commissioner shall direct the Governor-General in Council to do certain things. It struck me when I read that provision that it was rather an anomalous one.

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Sir John Quick

- To what clause does the honorable and learned member refer ?

Mr. McCAY. - I am referring to a clause which says -

Such officers as in the opinion of the commissioner are in excess shall be transferred.

Of course, "shall" may mean "may." We had a discussion upon that point the other day. But I take it that the Bill means what it says, and that "shall" means "shall," because nearly all the other clauses of the Bill enact that "the commissioner may." In the vast bulk of the cases, there is a nomination or recommendation by the commissioner. This nomination or recommendation must be taken to be either in effect the carrying out of what is approved by him, or not to be so. If it is to be in effect the actual work done, why should the Governor-General be made a mere registrar of the commissioner's decrees? If it is not so, we are face to face with the fact that the actual control is to be in the hands of the Governor-General, and that he is to be at liberty to disregard, whenever he chooses, whatever the commissioner may advise. That so far as I am concerned is a position I would not like to see attained. It seems to me more probable that the commissioner will practically decide, and that the Governor-General, as a matter of law, will act. If that be so, as the honorable and learned member for Bendigo pointed out, why trouble the Governor-General at all? Why not give the power frankly to the commissioner? Surely when we have created a service and determined how it is to be constituted, selecting an officer for future advice, if we are going to follow that advice, we might as well say to him, "You are to carry out the work." It seems to me, therefore, that the control of the service so far as appointments, promotions, reductions, and dismissals are concerned - exceptional cases excepted - should be with the commissioner as the second of the authorities created by the Bill.

Mr Higgins

- The responsibility is left with the Government, if there be an improper transfer.

Mr McCAY

- If there is an improper transfer by the Government we can stop it. As a matter of fact, we have had too much discussion in the State Parliaments as to whether the particular action of Governments in regard to individuals has been proper or not. However, the interjection of the honorable and learned member for Northern Melbourne raises the issue very fairly. Is Parliament going to watch every single transfer, promotion, or change in the status of every officer in the service? If Parliament is going to undertake that task, let us understand clearly that we have this work before us, and that we are going to have in the future, as we have had in the past, a great deal of time, which should be devoted to matters of Australian moment, devoted to questions concerning individual members of the service. If we are going to have a commissioner whom we cannot trust we had better not have a commissioner at all. If the system proposed in the Bill remains, and the Government are taxed with having made an improper transfer, they will at once say that it was the commissioner's direction or nomination - that it was recommended by the permanent head "with the approval of the commissioner, and so on. Then we shall be brought face to

face with the position that we are passing what is practically a vote of want of confidence in the commissioner. I quite admit there are objections to the course I advocate. I do not know any course which could be advocated to which there are not objections, and very strong objections, too.

Mr Mauger

- In the last resort the power is with the people.

Mr McCAY

- In the last resort the power is with the people, because they, through their representatives, can do what they choose in Parliament. It does not matter whether the power is in the commissioner or not, we can attack the commissioner, even if it be only when the Estimates come up, and when we have every power to deal with matters generally.

Mr Mauger

- We have talk without finality on the Estimates.

Mr McCAY

- We have talk sometimes without finality when Estimates are not before us. A third point to which I wish to allude is as to the carrying out of the duties assigned to the various officers by the commissioner. In that respect, it is obvious the permanent head must be responsible to somebody - I will say to whom in a moment - for the proper carrying out of the work. In my view, either the Governor-General or the commissioner should supply the permanent head with sufficient public servants to enable him to carry out the work, and the permanent head must see the work is carried out. I am heartily in accord with those who say that the less the permanent head has to do with promotions or transfers the better, because, clearly, his work is more to see that the work of the department is done than to consider who is to do it. So long as a permanent head has officers who can do the work, he should be satisfied, and if he has not the officers, then he should apply to the persons who have to supply them, namely, the commissioner or the Governor-General, as the case may be. The responsibility of the permanent head is not to see who are to be promoted, or who are not to be promoted, though, of course, his opinion should also be taken and listened to, because he has more opportunities than has the commissioner or, at all events, more opportunities than has the Governor-General, of knowing what the work is like. But his position in this respect should be purely advisory.

Sir John Quick

- But he should not be allowed to block promotions.

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Mr McCAY

- The permanent head should not be allowed to block promotions. His responsibility is to see that the work is properly done, and the question is as to whom he should be responsible. Up to the present I have simply referred to the Governor-General and the commissioner, and to my mind every communication between the Governor-General and the public service should go through the commissioner. There are some provisions in the Bill under which the permanent head reports direct to the Governor-General, while there are other cases in which the Minister reports direct to the Governor-General. There are other cases still in which the chief officer, I think, reports direct to the Governor-General, and cases in which the commissioner reports direct to the Governor-General. But all communications between the Executive and the service should go from the Executive to the commissioner, in order that there should be a train of responsibility running from the top to the bottom. If my suggestion were adopted and all these formal duties cast by the Bill on the Governor-General went over to the commissioner, we should be able to conduct the service without continual references from all sorts of officers to the Governor-General. The permanent head should be responsible for the work of his department, not to the commissioner nor to the Governor-General, but to the Minister responsible to Parliament. In that way it seems to me the permanent head and the Minister would run together as one couple, in exactly the same way as the commissioner and the Governor-General in Council would run together as another couple. The permanent head should be restrained from interfering with the powers of promotion and matters of that kind, and should be practically directed to devote his attention to carrying out the work of his department. He should be responsible to the Minister, and in that way Parliament would be in touch with the service in two directions. Parliament would be in touch with the service as regards its constitution and its personnel through the Governor-General - that is, the responsible Minister - and it would be in touch with the

departments through the Minister in regard to the work the department is absolutely doing. Parliament would be kept in touch with what was being done, and at the same time there would be kept apart things it is well to keep apart, and confusion would be prevented in regard to the various powers given to various officers. I would like to refer to a few instances in which it seems to me this Bill errs - sins not only against what I have suggested, but also against any scheme whatever. Under clause 20 which has already been referred to, the Governor-General has power to fix the salary of an officer within a class - not of an office but of an officer, although he may not reduce the salary. In the Bill, in most places, we find that the Governor-General's power is to deal with offices and not with officers. That I have already said is a proper distribution - the Governor-General should deal with offices and the commissioner with officers. If we take another clause we find that the Governor-General has power to transfer officers between the professional and the clerical divisions - either from the professional to the clerical, or from the clerical to the professional. That, in my view, is a matter that should properly be attended to by the commissioner, because the Governor-General would do only as the commissioner recommended.

Mr Higgins

- Is there power to transfer from the general to the clerical division ?

Mr McCAY

- I understand the Minister has promised that there will be power to transfer from the general to the clerical division, and therefore I have not referred to that matter. I will mention what seems to me a striking illustration of the mixture of duties which appears in the Bill. In clause 13, sub-clause (2), it is provided -

The chief officer of a department shall have and may exercise and perform within the State for which he holds his office such powers, authorities, and duties as are prescribed or as are assigned to him by the Minister of such department.

I certainly have wondered why the Minister in this clause, and in this clause only, has power to determine the duties of specific officers. I can quite understand it may be said - " The chief officer is managing the department of a State, and the Minister should decide." But the Minister is not in a position to decide what the chief officers' duties should be any more than is the permanent head or the commissioner. There may be half-a-dozen chief officers in each State, and the Minister cannot be in each State watching them. The clause makes the Minister responsible for who is to do the work, instead of being responsible for what is to be done.

Mr Piesse

- This only refers to chief officers.

Mr McCAY

- This is the only instance in which the duties are assigned by the Minister. By the Bill, the permanent head is made responsible for the work done in his department, but if his immediate subordinates are not to be amenable to his orders how can the permanent head reasonably be held responsible? Clause 12 provides that the permanent head is responsible for the general working of his department, but sub-clause (2) of clause 13 says that his vice-regents are not to obey his orders..

An Honorable Member. - No, no.

Mr McCAY

- The chief officers are to perform such duties as the Minister may direct.

Mr Piesse

- As chief officers ?

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Mr McCAY

- Yes, as chief officers.

Mr Piesse

- That is special duty.

Mr McCAY

- Quite so; but the chief officers are really heads, who in the States take the place of the permanent heads, because sub-clause (4) of clause 13 goes on to say -

The permanent head of a department may in any case in which he thinks fit so to do exercise any or all of the powers conferred by this Act on a chief officer, and in such event any reference in this Act to a chief

officer shall, unless inconsistent with the context, be taken to refer to such permanent head. The chief officer is really substituted for the permanent head in each State, when the permanent head is not there. The permanent head does not do what the Minister directs him, and the chief officer should do not what the Minister directs, but what the permanent head directs ; because if the permanent head is responsible for the work, he should see who does it. I do not intend to go through the whole of the Bill, or even through a large number of the clauses. I merely desire to refer to two other matters, the first of which is the question of temporary appointments. Those of us who have had any experience know that in connexion with temporary appointments, political influence is most rampant. Who makes temporary appointments under this Bill? Not the commissioner, or anybody on the recommendation of the commissioner. Under clause 34, a Minister can say - "I cannot get on with my work" ; and that is a very proper thing for him to say if his staff is not sufficient. The Minister then applies to the commissioner to supply assistance. If the commissioner says - "I cannot do it," then the permanent head or the chief officer, in consequence of the Minister's direction, practically selects from the prescribed register - -we do not know what sort of register may be prescribed - people to do the work, and those people may be temporarily employed for six months. Those who, in the State of Victoria, have had any experience of the trouble .that has arisen in connexion with the registration bureau at the Railway department, know the matter is one of considerable difficulty', and one that should be kept free from suspicion of political influence of any kind. The injury to a service from improper influence is not so much the harm done by putting a person into a place for which he is not suited, as the harm done by the feeling of dissatisfaction which the rest of the service experiences. If one man gets what the service consider a favour done to him through wrong influence, the whole service resents it, and men say- " If he gets it why should not I," with the result that every one tries to exert similar influence. One wrongdoer creates many wrongdoers in this as in many other cases. As to temporary employment, the Minister, through his permanent head, or the chief clerk, puts persons on temporary employment for six months, and then the commissioner is allowed to continue them in employment for another three months. Then the Minister, the permanent head, or the chief officer can dismiss any of those temporary men. There, it seems to me, you open up the opportunities for political patronage that we are trying to get rid of under this Bill. The moment it is known that the Minister can create temporary employes, as he chooses, political patronage will result. The door will practically be opened to the continued employment of persons till the work is finished. It is a proper thing that temporary employes should be available for the Government when it wants them ; but we depart too suddenly from the scheme of the Bill, right or wrong as that may be, when we give this power to the Minister. Because we know that there must be large quantities of temporary employment. Suppose we decide to build the Parliament House at the federal capital by means of day labour instead of by contract. Large numbers of workmen and clerks would then have to be engaged, and under this clause the Minister will have power to engage them. These provisions for temporary employment constitute a danger that demands the serious consideration of the Government.

Mr Higgins

- Who does the honorable and learned member say should select men for temporary employment ?

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Mr McCAY

- The commissioner should be ultimately responsible, just as the commissioner should be responsible for other appointments. The Governor-General should determine the regulations under which temporary employes are selected, but once the system has been determined we should leave to some other than political persons the selection of the individuals. It is in accord with the principle already mentioned that one person determines the office and the other determines the persons ; one determines the method by which persons are to be chosen - that is the Governor-General in Council - and the other authority, the commissioner, has to determine who is to be chosen under that method.. No doubt in the case of temporary employment, there will be a register of men to be selected in their turns, but we do not want the Minister to be responsible for that register. I now want to say a word as to the inspectors. They are mentioned in clauses 5, 6, 8, and 10. Then they are not mentioned again until we come to clause 55. I imagine that the object of appointing these inspectors or sub-commissioners as' it is suggested they should be called, is that they may exercise certain inspecting powers throughout the various portions of the Commonwealth. Their jurisdiction should be territorial and not departmental. That is to say, they

should inspect departments within a certain given area, and not one department throughout the Commonwealth. I confess I do not like the terms of clause 5, which says that the inspectors may perform such duties as the commissioner may direct. It seems to me that that would be leaving things somewhat too loose and ill-defined. There is another clause which prescribes certain duties that the inspectors have to perform, and the Government might very well define more fully what the duties are. If that be not done, let the Governor-General in Council, who is the proper person to settle these matters, determine what the duties of the inspectors are to be.

Mr Deakin

- The idea is to allow elasticity, so that the duties allotted to, say, the senior and ablest inspectors, would not necessarily be the duties allotted to the youngest and least experienced. There should be a grading of duties.

Mr V L SOLOMON

- But are there to be any young and inexperienced officers appointed ?

Mr Barton

- Speaking only by way of comparison.

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Mr McCAY

- When the honorable and learned member for Parkes was speaking last week, he objected to the name "inspector," and I ventured to interject that a change of name would not get rid of the fact. A certain set of gentlemen will be appointed inspectors. They are to go through the departments, and see whether the permanent heads and their subordinates are doing the duties assigned to them. Whatever name you give to them, their work will be supervisory, and it does not seem to me that there is anything to be gained by altering the name when the fact remains unchanged. If it be said that the commissioner cannot control the service in the way suggested, that the permanent heads cannot do their work, and that for these reasons we must have supervision by inspectors, then I think it is a matter of doubtful wisdom to appoint inspectors for such purposes. There cannot but be strained relations between officers high in the service and the inspectors if there should be a difference between them as to any particular kind of work. If it be said that the duties of the inspectors are - I do not like to use the word spy - to investigate into the service and the way it is conducted, and report to the commissioner what they think desirable, because the commissioner cannot do all the work himself, then I think it is worthy of consideration whether such officers find a proper place in this scheme. But in any case I do not see any objection to the use of the word "inspector." I do not desire to detain the House at greater length. No doubt, like other honorable members, I shall in Committee find that there are matters which require to be referred to in detail. I really rose for the purpose of pointing out that to my mind there is a system which should be followed, and that that system has been departed from on a considerable number of instances in this Bill. It appears to me that we should recognise the gradations of responsibility and the divisions of responsibility, and that we should not mix up two sets of responsibility. We should not disregard the seniority of the commissioner, nor go past him to the Governor-General on matters which are within his province. That practice would not be for the good of the discipline of any service in which it obtained, and I do not think it would be for the good of the discipline of the public service. Of course, if it would be too cumbrous to let things go to the commissioner that are practically formal, and should be dealt with otherwise, that would be a very good reason for departing from the principle ; but wherever it is departed from there should be something to justify the departure. I am not quarrelling with the Bill generally. If honorable members make an effort to do what they desire, I believe it will come out of committee a good deal better measure than it now is. The combined wisdom of the House will do a great deal to improve the measure, and this Bill, like many other things, not excluding a Bill introduced by the first Commonwealth Government, is certainly capable of improvement.

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Mr CRUICKSHANK

- I should like to feel that I can satisfy my constituents in supporting this Bill. We are discussing a measure that is not only in the interests of the Commonwealth generally, but which is intended to mete out fair play all round to those who enter the public service. Allusion has been made to the administration of the Public Service Act in New South Wales. The Public Service Board there was appointed at a time when there

was a revulsion of feeling on the part of the public, who believed that the public service was in a rotten condition. It was generally believed that the system of Ministerial appointments had led to Governments putting in their friends in every quarter, and there was a conviction that the only way to purify the service was to create an independent board, which would appoint men in the interests of the service only. But we had not this board very long before we found that officers who had been from 30 to 40 years in the Government service were suddenly dismissed, and only found that they had been dismissed or retired from the service when they read the Gazette notice in the Evening News on their way to their homes. A great many honorable members who have watched the actions of the Public Service Board in New South Wales are supporting this Bill, which is to govern the public service of the Commonwealth, because no Public Service Board is appointed under it. When a public service measure is being put on the statute book, I should like the opportunity to be taken to make the civil servants feel that under it no hardships will be imposed, but that every consideration will be given to those who enter the service. I should like the Government to give some expression of opinion as to what kind of officer is likely to be created as commissioner. If he is to be chosen from one of those officers who are at present permanent secretaries at the heads of different departments, there is a feeling in the service that he will tend to favour the officers of the department from which he comes; that if he is appointed from the Public Works department, for example, he will bring with him the feeling that the officers most suitable to fill the posts he is likely to have to create are men from the particular branch of the service to which he has been accustomed. Then, again, there is a feeling that officers who are in the country districts do not receive that fair consideration that is given to those who happen to be near the centre of government, and have opportunities of coming in contact with those who have the power of administration. I wish to see in this measure every facility given to those who are entering the public service of being represented in the right quarter. In New South Wales I have found that if a Member of Parliament approaches the independent commissioner, he is merely told that that officer cannot discuss questions affecting the service with a Member of Parliament, because the Public Service Board is supposed to be free from political influence. A Member of Parliament, however, does not always wish to bring political influence to bear so much as to make a representation with regard to a certain officer. Very often a Member of Parliament is asked to make a statement that certain people employed in the Government service in the country are living in a climate where the wife or the children are broken down in health; and I do not see why he should not be allowed to make a representation of that kind. I hope that in connexion with the Commonwealth public service there will be closer touch between the heads of the service and those officers who occupy positions in the interior. I do not mean to say that I wish to see political influence introduced. I have seen too much of it. But, at the same time, I do not like to see men dismissed from the service without any why or wherefore. They say that decisions are very often right and reasons are very often wrong. But when a man gets notice that he is dismissed from the service and loses his means of obtaining a living for his wife and family, and no reason is given, he is left without any character or credentials which will enable him to secure another position elsewhere. No opportunity is presented for discussion or for bringing about that closer connexion which is necessary in order to obtain reasons for certain acts of administration by the responsible officers contemplated by the Act. I am very glad to see that power is given under this Bill to the inspectors to call evidence. I should like to see these inspectors make full inquiries when cases of hardship are reported to them by Members of Parliament.

An Honorable Member. - Why should members of Parliament be appealed to?

Mr CRUICKSHANK

- Because public servants must appeal to some one, and I think that the members who represent them in the Parliament of the country are the proper persons to listen to their grievances. We are, of course, in a position to review the conduct of the responsible officers from time to time, but there would not be the same necessity for the adverse criticism which very frequently takes place, if we could insure that the commissioner and the inspectors would make close inquiries, in the course of which those officials whose conduct is in question could be represented in such a way that they could have their grievance fairly put forward. There is one thing I would like to see, and that is, a clear definition as to who is really to be the officer responsible for the administration of the Act. Like the previous speaker, I have read this Bill, and, whilst in the first place I thought that this Public Service Bill, like the similar Acts now in existence in the various States, was to be free from political influence, it seems to me that this measure is teeming with

political influence. Opportunities appear to present themselves for persons who may be in sympathy with the Government to secure appointments, and it may be that others who are in close touch with the permanent Under-Secretaries, or who may be appreciated or admired by the commissioner, will receive appointments, but it seems to me that all those who have to do with the administration of the Act should put their heads together in order to decide who is the best man to fill any given position. Then there is another clause which seems to offer opportunities for making appointments outside the service, and that is a thing that I must say I feel strong objection to. In our State, when an appointment is to be made from outside the service, the general feeling is, if it is a good appointment, that it is going to be given to some friend of the Government, in consideration of political services or something of that kind, and that such appointments are not always left open for those who have worked their way in the service from the bottom rung of the ladder. Those men who have done good work in the service, should have first consideration when good appointments are to be made. I have not risen with the intention to delay this measure, but, on the contrary, I am very glad to see that the Government have taken it in hand so early. I would, however, like to see the Government make some very much clearer definition as to who is to be the permanent head, and, more than that, I would like to see them do away with the powers conferred upon the Governor-General, which will really resolve themselves into the expression of Ministerial approval. It is clear to me that if appointments are made by the commissioner, or are recommended by the permanent heads, and such appointments do not happen to be in accordance with the wishes of the Ministers, they will not be made. I should like to see the commissioner made the responsible officer, who should refer to the permanent heads, more for information than anything else, and the confirmation of appointments by the Executive Council should be largely a matter of form. Furthermore, greater facilities should be given to our public men, and those who feel themselves aggrieved by the action of the authorities in the service to have their grievances ventilated. Those who have such grievances should be represented at the inquiries that are instituted into their cases, so that the decisions arrived at may be come to in the full light of day. When these matters come before Parliament for discussion in connexion with the Estimates, instead of their being hushed up, and difficulty being experienced in getting information, except in the form of reports or returns, all the papers relating to the inquiries I have referred to should be fully accessible, and we should be able to judge whether the men in high and responsible office are wisely and properly carrying out the duties with which they have been intrusted.

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Mr E SOLOMON

- It is not my intention to take up the time of the House for more than a very few minutes. I should like to congratulate the Government upon having brought forward this measure. The Commonwealth having taken over many of the officers of the States, will have to do something to provide for those public servants who have hitherto been dealt with under the State laws. I can see that in connexion with this Bill there is a great difficulty arising from the distances between the various States. I will instance our own State - Western Australia - which is some 2,000 miles away. It appears to me that under a Bill of this description unless there is some one on the spot in each State who will be able to act as sub-commissioner, great hardships will result. What we all want is fair play to the Government and fair play to those who are in our employ, and we want the provisions of the Bill so framed that there will be no possibility whatever of any of our employees being unfairly dealt with. With us in Western Australia, a great deal of dissatisfaction has arisen in many of the departments, notably in our railway department. In that department there are officers who have been working for six or seven years, and who have found men taken from outside and placed in positions which should have been made available to those already in the service. That is a state of things which certainly should be avoided, and this Bill should be considered with a view to safeguard us in that regard as much as possible. I take it that this Bill is somewhat of an experimental one as far as the Commonwealth is concerned owing to the difficulty which I have referred to. There should, in my opinion, be a commissioner or sub-commissioner in almost each State to deal with cases as they arise. We can scarcely define what the duties of the inspectors should be. The controlling officer in each State should be something more than an inspector, as he should have power to suspend an officer, subject to any appeal which might be made by the individual concerned to the higher authority of the commissioner, and thence to the Governor-General. I think that if we provide for something of this kind it will give satisfaction to all parties. There is one clause in the Bill - clause 28 -

which provides that no person shall be appointed to the clerical division' who is under the age of sixteen years, and I think that is a very proper provision. But I do not see any age specified supposing a lad requires to be taken into some other division which is not clerical. No doubt that is a matter which will occupy the attention of the framer of the Bill. It is not my intention to discuss the Bill in detail, because I really had no idea that the measure would have been carried so far to-night. I was under the impression that another Bill would have occupied all the evening, and, had that been so, I should have had more time to have looked into the matter. As it is, I must apologize for not being able to deal with it as I should have liked. At the same time the Government have done well to bring in a Bill of this description, which, I think, will meet with the approval of the whole of the community of the Commonwealth. I shall in all cases assist the Government in passing the Bills they may bring forward for the good of the Commonwealth ; they may always rest assured of any little help I may be able to give, however humble that help may be.

Mr O'MALLEY

- I am going to ask my friend the Minister a few questions; I do not intend to enter upon a discussion of the general principles of the Bill. I want to know, in the first place, if the rates of salary are to be uniform throughout the Commonwealth, and if the Tasmanian rates of salary are to be increased to the level of the rates prevailing in Victoria ?

Mr Deakin

- Yes, in all cases where the Tasmanian work is equal to the Victorian work.

Mr O'MALLEY

- That is not an answer to the question. No language should be used as a subterfuge to prevent men from taking intelligent action in regard to an important measure like this. We Tasmanians are not satisfied with our salaries.

Mr Mauger

- Neither are we Victorians.

Mr O'MALLEY

- The public service of Tasmania has been on a sort of starvation allowance of late years. Another question I wish to ask is this - Is the Minister in charge of the measure willing to insert a clause which will enable all persons who have toiled in the public service of the States which form the Commonwealth, even though they have retired, to enter the service of the Commonwealth, providing they show the necessary ability?

Mr Deakin

- Clauses 29 and 30 deal with that matter.

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Mr O'MALLEY

- A third matter to which I wish to refer is this - I admit that as a rule public servants pay their debts, but I have known cases in small towns in Australia where poor people have suffered! because public servants have not paid what they owed them. Surely there should be some provision in the measure which will require public servants to pay their debts, so that the service may be kept pure. Democracy must assert itself, and if democracy wants to be recognised as just it must pay its debts. I do not want to do anything that will interfere with the progress of the measure, which I regard as a very fair one taking it all round, therefore I shall content myself with the statement that I have very great pleasure in supporting the action of the Ministry in regard to it.

Mr MAUGER

- I do not propose to detain the House very long, but I should like to make one or two remarks in regard to some of the important features of the Bill. It seems to me that we are inclined 'to forget that the public service exists for the Commonwealth, and not the Commonwealth for the public service. In considering an important measure Of this description, the question of securing the highest and best service for the public should be continually kept in view. It seems .to me that under the government by commission system which has been adopted in Victoria, a great deal of dissatisfaction has been created among the public servants, and that there is very -good ground for that dissatisfaction. While I believe that the Public Service Board is composed Of men who desire to do their duty fearlessly and faithfully, it is not able to comprehend the whole of the ramifications of the public service. I believe that, so far as the board comes into contact with the heads of departments and leading officials, it does its duty ; but it knows absolutely

nothing of the kind in the lower grades of the service. It is a notorious fact that our public service, even now that the work of the Reclassification Board, to which the honorable and learned member for Bendigo referred, has been carried out, is seething with discontent and disloyalty.

Mr Isaacs

- Not with disloyalty.

Mr MAUGER

- The public servants are disloyal in the sense that they are dissatisfied; and men- who are dissatisfied will not give anything like such good service as that which you get from satisfied men. There is good reason for this dissatisfaction. Two years ago it came under my notice that a young man who entered the Customs department as an apprentice to learn to make life-buoys was engaged at the wage of 2s. a day, and that after serving six years, during which time he frequently applied to the board for an increase, but without success, it was only on the urgent demand of the Minister of the day that he could obtain justice. There we have a case of a man 24 years of age, who had been six years in the service, who was receiving, as a journeyman, only the same wages as were given to him when he entered the department as an- apprentice.

Mr O'Malley

- That is barbarous.

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Mr MAUGER

- I know of another case where an officer who is administering the Victorian Closer Settlement department is receiving only £200 a year. Two Ministers in succession represented to the Public Service Board that this officer is in his wrong class, and is not receiving adequate payment, but for some reason or other the head of the department appears to block any change, so that the man is still doing his responsible and important work for the salary I have mentioned. I might cite other cases to show that the Victorian system is not at the present time at all satisfactory. I recognise, as any one who has had to do with large bodies of working men, and to supervise persons employed on responsible work must recognise, that the difficulties connected with the administration of the public service are very great. I recognise that to promote men simply on account of length of service would mean that persons would be promoted who would not be the best men for the positions they were called upon to occupy ; but I also recognise that to vest in one man, such as the proposed commissioner, full power to deal with the public service without review and without responsibility to any one would create a condition of things that would be largely intolerable. The commissioner will have under him 12,000 or 13,000 employees, and how can he know, as he should know, the abilities, requirements, and aspirations of every one of those men ? It seems to me that the proposal to appoint inspectors is a redeeming feature of the Bill ; but to my mind one inspector for each State will not be enough, because in- order to do justice to the public servants, these inspectors, or sub-commissioners as they have been called, should be fully acquainted with the details of the duties which each public servant is called upon to perform, and should know how those duties are being performed. The acquirement of- such knowledge is quite impossible under the Victorian system, and it seems to me that it will be impossible for one inspector, even at the inception of our Commonwealth service, to adequately inform himself of the conditions of employment of every public servant in a State.

Mr Higgins

- Would the honorable member have more inspectors or sub-inspectors ?

Mr MAUGER

- I do not care whether these officials are called inspectors or sub-inspectors, but I would make such arrangements that the whole of the work performed by each employee could be thoroughly understood by the official whose duty it would be to make recommendations in regard to him. I do not agree with the honorable member for Corinella that the commissioner should be vested with full authority without review. My experience of the result of giving undue powers to any one man has been such that I would be exceedingly careful before I repeated the experiment.

Mr Mccay

- Where would the honorable member have finality?

Mr MAUGER

-With the decision of the responsible Minister, who would be accountable to Parliament, and whose

actions Parliament could at any time review, and, if it thought fit, punish him for it. To vest in an official like the proposed commissioner the power to regulate and control the public service as he likes, is to give him a power which we should not give to any man.

Sir William McMillan

- The Bill does not do that.

Mr MAUGER

- I recognise that it does not do it, but the honorable and learned member for Corinella advocated that greater power should be given to the commissioner and less to the responsible Minister. With regard to temporary appointments, anyone who has had experience of the work of the temporary employees - and the taking of the recent census is an instance of it - will recognise that such employment is a source of endless trouble, annoyance and worry. I sympathise deeply with clerks who are out of employment, and I suppose it is for that reason that I am continually being pressed to try and secure them appointments; but life would not be worth living if we provided that appointments, even for temporary work, should be subject to political influence. I would urge that all appointments be made by the commissioner, so that honorable members may be free from the annoyance and trouble and the heartbreaking recitals which the political system brings with it. We should all like to be able to secure appointments for worthy men, and we recognise that such men have a claim upon us; but if it is known that Ministers will have the power of making appointments, Members of Parliament will be asked to use their influence with the Ministers, and the use of these appointments will largely rest upon them. It seems to me, therefore, that the less we provide for the exercise of political patronage in the making of appointments, the better it will be for us. On the whole, I believe that an earnest effort has been made to prepare a measure which in its general outline will commend itself to the majority of honorable members. I think, however, that the bill can be improved in committee, and I am one of those who will be called upon to serve it, to help to produce the best Bill Possible.

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Mr A McLEAN

- I desire to refer very briefly to one or two of the main principles of the Bill. Before doing so, I desire to congratulate the Minister who introduced it. The measure is one which, on being looked over, bears evidence of a great deal of industry, and seems one to form the nucleus of a very fair working measure. The Bill is not, in my opinion, anything like perfect, and, indeed, having regard to the difficult and complex nature of the problems which it seeks to solve, it is very doubtful if it will be anything like perfect when it emerges from a committee of the House. At the same time, it must be admitted that the Minister has made an honest and earnest effort to put before us a Bill which, after it has run the gauntlet of criticism and has perhaps received some amendment, should form a very fair working measure. The question is one of far-reaching importance. It forms one of the foundation stones on which the structure of the Commonwealth is to be reared. It forms the basis of the contract between the people of the Commonwealth as employers on one side and over 1 1 , 000 employees on the other. The duty of Parliament, in my opinion, is not to lean unduly either to the one side or the other. We should endeavour to hold the scales of justice as evenly as we possibly can between employers on the one hand and employees on the other. We must remember that, so far as the employers are concerned, the measure we place on the statute-book will be largely responsible for the efficiency or non-efficiency of the discharge of the functions of the Commonwealth. On the other hand, it is not only the employees but their families who will be affected whom we have to consider. It is our duty in the first place to endeavour to secure fair value to the people - to the taxpayers of the Commonwealth - for the money that will be devoted towards the maintenance and payment of the public service. On the other hand, it is our duty to see that the employees are fairly remunerated for any duties they perform, and that they are well treated in every way possible. It is only by having a loyal and contented public service that we may expect to have the duties properly performed. I thoroughly agree with the decision of the Ministry to have one commissioner instead of two or three. Where you have divided duties you have divided responsibilities in case of any mistakes being made. It is very much better that we should have one commissioner - and only one - to look to for the efficient discharge of the duties which are vested in him. Those duties of the commissioner should be clearly defined! They should not be defined in a fragmentary manner as they are in the Bill. If this Bill were handed to a commissioner as his instructions - and if he were to find the whole of his instructions in the

Act of Parliament under which he is appointed - he would have great difficulty in ascertaining what his duties were and what was the extent of his power. I should like to see those duties defined, either in one clause with a number of sub-clauses, or in a succession of clauses, laying down clearly the basis of the duties. Further, I should like to see the commissioner's powers considerably strengthened. I should like to see less of the Governor in Council, who, of course, means the Minister, and, in turn, means the interference of Members of Parliament. Wherever there is the Governor in Council, there we find political influence, and we should endeavor, as far as possible, to eliminate that influence. There should be a proper division of labour. It is the duty of the Government to define the functions that have to be performed, and to lay them down in an Act of Parliament ; and in my humble judgment it is the duty of the commissioner, and, the commissioner alone, to see that the proper persons are selected for the discharge of those duties.

The commissioner should be solely responsible for the selection of the individuals who are to compose the public service, and for promotions within the service, and the commissioner in turn should be responsible to the Minister. The Minister has power to suspend the commissioner if he thinks he is guilty of any infraction of his duties, and therefore I would like to see the power of that officer considerably strengthened.

Sir William McMillan

- Would the honorable member give the commissioner full power over the very highest of the permanent heads, and in matters of that sort?

Mr A McLEAN

- No; I think there must be a few exceptions made ; but for the general run of the service and the different departments, the commissioner should be made responsible. We would then know, in the event of any laches on the part of the service, where to fix the responsibility, and, of course, it would be for the commissioner to give an explanation.

Mr Mauger

- Why make exceptions?

Mr A McLEAN

- There are special reasons why exceptions should be made. Indeed, I am not at all sure that it would be a bad thing even to give the commissioner the appointment of the permanent heads. Then, again, I agree with the provision, so far as it goes, to make the permanent head responsible for the working of his department. I do not think the permanent head should have anything to do with appointments or promotions. If he is not satisfied with the work he is getting from an officer in the department under his control, it is his duty to complain to the commissioner.

Sir William McMillan

- The permanent head should have the discipline of the department.

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Mr A McLEAN

- Yes ; the permanent head should have the discipline. I had occasion, some few years ago, during the time of the depression in this State, to make a thorough investigation into the working of every department in the State service. I went through every branch of every department, and I must say that I got more light regarding the work of the public service - I got more insight into the public service during the seven months that investigation occupied than I have gained in other ways during nearly 22 years I have been in Parliament.

Mr HUME COOK

- The honorable member did then what the inspectors will have to do under the Bill.

Mr A McLEAN

- Yes, only in a much more drastic manner, perhaps. What struck me then - and it is a very difficult thing to avoid - is the great tendency in every department of the State to overman. If a department be overmanned it means underpaying the servants, whereas if only a proper number of hands be engaged the ' State can afford to pay the servants a fair remuneration for the duties to be performed. The permanent heads of the various departments are interested in magnifying the work of their departments. Their status is judged to a very large extent by the number of hands employed, the number of sub-branches or sub-departments as they may be called, and the amount of money each department

disburses. So that really the personal interests of the heads of the departments run counter to the interests of the people. I do not say that there has been much abuse in Victoria in this respect, because we have been very fortunate in the selection of our permanent heads. But I can see the tendency in every department is to grow. In the first place, a position is created for an individual, a position that is perhaps intended to be temporary. That individual in time gets one or two assistants, and the office grows into a branch, and finally into a sub-department. I will not name the department, but in looking through one department I saw the duties of one officer, and he a high-salaried officer, defined as being in charge of the branch ; and when I came to examine I found that the branch consisted of that officer and one boy. As this is some years ago, it is probable that branch has grown into a very decent sub-department by this time. That is a tendency which has to be checked so far as it can be, and I should like the Minister in charge of this measure to take note, more especially of those two main points - first, that the duties of the commissioner ought to be clearly defined, and in the next place that the position of the commissioner ought to be materially strengthened, so as to give him more power, and, as a natural corollary, more responsibility, and to separate his work entirely from the work of the Governor in Council. I find there is a desire - I believe with the very best intentions - on the part of the Minister to create a balance of power, but I am afraid a balance of power is a dangerous thing. It is hard to say where the final responsibility is to be fixed ; but if you vest the power in one particular individual, no mistake can be made as to where is the final responsibility. There is another point in regard to the selection of public servants. I forget who it was - I believe it was an honorable member from New South Wales who referred to the subject, and I was a good deal impressed with his remark about the desirability of selecting healthy men.

Mr. Deakin. - It was the honorable member for Richmond.

Mr A McLEAN

- It is an extraordinary thing that in any department in the State there can't be found a large number of extra hands who have to be employed on account of those absent on sick leave. Any Minister having charge of a large department is signing permission for absence on sick leave almost every hour of the day. It appears to me that a careful selection of officers in the first instance would mitigate that to some extent.

Mr Higgins

- There would be as much sick leave as ever.

Mr A McLEAN

- In Victoria - and I see it is so proposed in the Bill - the number of applicants for a position is reduced by lot. I am not at all sure that that is a wise provision. In the Police department they manage things very differently, and very much more successfully. In that department there is a competent board of experts who interview every applicant, and select men who appear to be the best fitted for the duties they are to perform.

Mr Deakin

- And applicants have to pass a medical test.

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Mr A McLEAN

- After applicants have been seen by the board of experts they are sent on to the medical expert, at whose hands they undergo a very careful examination, and are disqualified if they do not pass. I believe we should have a better and more efficient public service if a similar course of selection were adopted. That would be much better than reducing the number by lot - a system under which there is a chance that a very large number of most competent applicants might be excluded. I do not wish to detain the House, but in my opinion the more this Bill is discussed, and the more carefully it is discussed, the better. That would be time well spent.

I deeply regret the cause of the absence of the Minister for Home Affairs, who introduced the Bill, and I desire again to compliment him most heartily on his efforts to place a good, practical working measure before the House.

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Mr G B EDWARDS

- At the risk of protracting the debate I desire to occupy a few moments in which to express my opinion on the main principles of the Bill, without going too far into detail, and mainly for the reason advocated by the

previous speaker in his last few sentences. It seems to me that as the debate has gone on very many most important suggestions have been made, which will no doubt assist the Government in passing the Bill through committee, and in obtaining as nearly as we can a perfect working measure. I have no doubt whatever that there is no measure which will occupy our attention this session that will be of more importance than this Public Service Bill. By this Bill we will decide, for some time to come at any rate, in which way we will govern our public service. If honorable members look at what we require in this respect, it will be seen that it can be put in very few words. What we require is an efficient public service, and that efficient public service can be obtained only by devising a measure which will give absolute justice to the servants, in order that we may from time to time recruit the ranks from men who desire to be there - a measure that will keep out any element of political patronage, and get the best -value in the work that is given to the State. This can be obtained only in a measure which will do equal justice to the State and to those employed by the State. I look upon this Bill as being in many respects an honest and capable attempt to meet requirements ; but, while admiring the effort to grapple with the subject, I look upon it as being as badly drafted "a measure as I have seen for some years. An honorable member who preceded me in the debate has complimented the Government on the drafting of the measure. I read the Bill through some time ago, and have subsequently studied it carefully. I have also listened attentively to the debate, and have come to the conclusion that nearly the whole of the objections that have been advanced against the measure are not directed against the principles of it, but only against details, or, in other words, against the way in which it has been drafted. I am, therefore, hopeful that when we get into committee upon the Bill we shall be able to make it effective and satisfactory by means of some reasonable alterations which, if we have anything like able assistance in drafting the amendments, will make it a very workable measure indeed. There are one or two other topics to which I wish to refer, although most of the points . upon which I had made notes have been dealt with by previous speakers. Still I think I am justified in pointing out these matters in order that they may be fully considered when we get into committee. The desire to entirely eliminate political patronage may be a good one, but if -we are not very careful it is possible that the pendulum will be made to swing to the opposite extreme. For instance, experience in Great Britain with reference to bankruptcy legislation has been that the Imperial Parliament passed one measure, which was subsequently found to work in the interests of the- debtor; and then, by means of another Act, they amended the former one so as to make the law work out too much in the interests of the creditor. Similarly, with regard to the public service, if we are not very care ul, this measure may pass in such a form that it will work too much in the direction of investing power in the commissioner ; then we shall be likely to get disgusted, and in a few years' time Parliament will pass another Bill, which, going back, will have the effect of placing too much power in the hands of the Governor in Council. -I think that in this respect the Government have grappled with the question very-successfully, because right through the Bill they have endeavoured, by a set of checks and balances, to divide the power, so that while we eliminate political patronage, we do not run the risk of social patronage or bureau influence being exercised' - which would be as bad as, if not worse than, political patronage. Because political patronage has a check in the form of criticism by the Legislature ; but if we have social or bureaucratic patronage' that system will grew very bad indeed before there is an opportunity of changing it. I approve of the proposal of the Government to appoint one commissioner. That is, perhaps, the best feature in the Bill: The only alternative would be to appoint three commissioners, by which we should increase the expense without having any greater efficiency. Three commissioners would not be able to look after everything themselves, and we should have to appoint two or three inspectors to work with them. I look upon the inspectors as the eyes and ears of the commissioner, by reason of the fact that he cannot be ubiquitous. He will get assistance from the inspectors being able to go through the departments, and bring under his personal notice things that it would be impossible for three or even five men to deal with. Some objection has been made to the fact that these officers are to be called "inspectors," the idea being that the term carries the notion of the officer being a spy. That criticism is premature and ridiculous, because there are inspectors in banks and other large institutions, in which they are never looked upon in that light: We might call them sub-commissioners, or anything else that might be preferred, but the fact remains that they will be some of the most useful officers you could have. I quite believe in the suggestion that it is probable that six inspectors will not be sufficient for the work that has to be done, but six will be quite sufficient to start with. We might so shape that clause of the Bill as to enable

the Governor in Council to appoint additional inspectors as required, not fixing the number at six, but giving power to increase them from time to time as the service expands. My idea is that we should certainly not let go the hold of the responsible government of the day. We may take from them the obnoxious duty, which must be hateful both to Ministers and to Members of Parliament, of exercising political patronage, but we should not take from them the obligation of political responsibility. While I think it is quite right that the commissioner should nominate for every office, and that the Governor in Council should only in the gravest emergencies refuse to adopt the nominations of the commissioner; still, while we have a system of responsible government we must leave to the Ministry of the day the power of accepting or rejecting his nominations. I do not suppose this power of rejecting would have to be exercised in one ease in a thousand, but the thousandth case must occasionally arise, when it would be the duty of Ministers to decline to accept the nomination of the commissioner. In doing this, as in every other Act, the Ministry would be responsible to Parliament. By adopting this plan we should get a system which, while maintaining the principle of checks and balances which is placed in this Bill, and under which political patronage would be abolished, would retain the essential idea of our Constitution, namely, Ministerial responsibility. One matter that has been referred to is that of dealing by lot with the candidates for the public service examinations. That seems to me to be a thoroughly absurd notion. In the first place, these examinations for the civil service have been looked upon in the various States in the past, and will be still more so regarded in the future, as handy examinations for testing the educational efficiency of candidates who do not always intend to follow up the employment of the civil service. We shall have a large number of candidates for examination ; but if the system of lot be adopted as to them, by parity of reasoning we should have to adopt the system of lot for appointments. Suppose that 200 candidates presented themselves for examination, and that there were only ten vacancies. By the system of lot only 50 might be allowed to be examined, and the ten would have to be chosen from that number. By that system three-fourths of the best men would on the average be left out, and only one-fourth of the best men would be left in. If we are trying to get the best men available for the service, it is evident that a system of lot would be most ridiculous. By some slight additional test we might pick out in a rough and ready way from those who passed the examination the best men for the service. It would be better to adopt such means than to adopt a system of lot which would give us only results by chance. Another principle which has been referred to is contained in the provisions for enforcing the insurance of State employees. I think that this is one of the best provisions in the Bill. We could never have a public service system- of pensions. We should endeavour to have a system which would give a man on leaving the service sufficient to keep him from want; and the provisions of this Bill to that end are very good ones indeed. But I quite disagree with the honorable member for Wentworth, who opposes the suggestion that the State itself should insure the officers. I think the experience in some of the States is very much against the adoption of an insurance fund in connexion with the civil service ; but actuarial calculations have been made upon an absolutely safe basis upon which effect can be given . to a reasonable system of assurance for State employees if it be considered the State is the proper authority to undertake this work. If the State does not do so, the Government must say what insurance offices shall be selected, so as to give proper security. That would be a very invidious duty to impose on the Government. Seeing that the civil service is likely to grow to such magnitude the State may as well take up the work of insurance from the first, and see that all its servants are properly insured. It would thus guarantee that the securities would be properly attended to. This work can better be done by the State than by any outside office. The best of our institutions might go wrong, and those who insure in them having effected such insurances, at the instance of the Government, might have, if not a legal, certainly a moral, claim upon the Government for having compelled them to insure. If, however, the insurance were done by the State we could take very great care that it was effected on such an actuarial basis that it could not very well fail, and the Government would be responsible for the whole thing. There are many other little points to which I should have liked to refer, but they are of such minor importance that they may very well be deferred until we go into committee. Speaking generally, the measure will have my cordial support, and I hope that we shall succeed in framing a Bill that will regulate the public service in the best interests of the Commonwealth, as well as in the interests of the civil service.

Mr CLARKE

- The Government is to be commended for having introduced a measure of this character at the very

commencement of the first session of the Federal Parliament. They have been guided and I have no doubt profited by, the experience gained in the various States regarding the public service. They recognise the advisability of introducing a measure of this character as one of their very first duties, and I am glad to see that in introducing the Bill the Government have, as far as possible, endeavoured to graft from the Acts of the States those sections which are good, and to exclude those which have been found to be bad. I do not regard the proposal as absolutely perfect. It is capable of improvement in committee. But it is an honest attempt to deal with a very complicated question. No matter how good an Act we may pass, no matter how perfect the regulations with regard to the public service may be, our legislation will fail in its object if the commissioner to be appointed is not a man of exceptional parts. The whole success of this Bill depends upon the capacity of the commissioner appointed to administer it. Now, with regard to inspectors, I have very grave doubts whether six inspectors will be sufficient, because the duties of an inspector will be far more than the name implies. It will be the duty of these inspectors to visit the departments in the various States which have been taken over by the Commonwealth and to make recommendations, I take it, to the commissioner. These recommendations will deal with increments and in some cases with appointments, and I hardly think that an inspector for each State will be sufficient. I should also like to impress upon the honorable member who has temporary charge of this Bill the desirability of appointing inspectors who will represent as far as possible the various divisions of the service which will be created. What I mean is this. I do not want to see all clerical inspectors appointed, or inspectors all of whom have had only professional experience, but I think it is desirable that some of the inspectors, at any rate, should be men of professional training, and some of them with clerical experience. We will take the Postal department for instance. That is a department in which they have a great number of clerical officers, and at the same time branches which are, to some extent, of a technical character. For instance, there is the electrical branch, including the telephone branch. In matters of this kind an inspector should be appointed who has a technical knowledge, because, as I have already stated, it will be the duty of the inspectors to assess the value of the services rendered by the different officers. Some honorable member suggested the question whether it is the intention of the Government to level up or level down the salaries; that is to say, whether the salaries of the public servants generally are to be lowered to the standard adopted in Tasmania. I take it that the object of the Government will be not to level down, but to gauge and to fix the salaries in the different States according to the services actually performed in those States.

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Mr Chapman

- Half the post-office officials in New South Wales are paid at starvation rates.

Mr CLARKE

- I shall not enter into that aspect of the question now, but will deal with it later on. I notice that in the schedule attached to this Bill the clerical division is subdivided into different classes. I would like to know why some attempt has not been made to also subdivide the professional class?

Mr Deakin

- Provision is made for arranging the professional division into classes and the general division into grades.

Mr CLARKE

- What I was referring to was the fact that in the third schedule the subdivisions are actually set forth so far as the clerical division is concerned, and what I complain of is that no attempt seems to have been made to subdivide into classes the other divisions - notably the professional division. »

Mr Deakin

- Power is taken to do that under clause 71.

Mr CLARKE

- I am glad to hear that, the matter has not been overlooked. Whilst dealing with the schedule, there is another point to which I desire to draw attention and that is with regard to the classification of females. We have the 4th and 5th classes with salaries ranging from £110 to £140 per annum. Now, according to the provisions of the Bill it will be necessary for those who are engaged under this particular heading to pass an examination before they can be raised from the 5th class maximum of £110 to £140, whereas taking the males in the 5th class they are allowed to go right on to a salary of £160 a year without passing any

examination at all. I think that is unfair, as I do not see why the women of the service should have to pass an examination in order to reach a certain salary, whereas men and boys are allowed to pass right on to that salary without having to undergo any such test. More than that, we must deal with this matter in a broader spirit. If we are going to admit - as we have admitted - women into the public service, and they are capable of doing men's work, we must give them men's wages, otherwise we shall be 'bringing the wages of the men down to the rates of pay given to women, and none of us want to see that. I want to deal justly with the women in the service, and give them the salaries to which they are entitled by the work they perform.

Mr O'Malley

- Equal work, equal pay.

Mr CLARKE

- An honorable member interjected just now that certain postal and telegraphic officials in New South Wales were paid starvation rates. I admit at once that, considering the long hours - which postal officials and telegraph operators have to serve, and the close attention which they have to give to their work, they are not paid sufficiently high salaries in New South Wales. More than that, the custom has grown up there, particularly since the Public Service Board has been established, to deduct so much from the salaries of postal and telegraphic officers on account of the rental value of the quarters which they occupy. Whilst there is a semblance of fairness about that deduction, it must be borne in mind that the Government would have to pay some one - a caretaker - to look after these places in any event, and that the amount which the Government would have to pay such a caretaker ought to be taken into consideration in making the reduction. I think in many cases - in fact, I know of my own personal knowledge of many cases - excessive rents have been deducted from the salaries of these officers.

Mr O'Malley

- That is what free-trade does.

Mr CLARKE

- The greatest complaint I have to make against this Bill is that there appears to be no appeal whatever from the decision of the commissioner. We have admitted, as far as the railway service of New South Wales is concerned, the principle of the right of appeal, for a Bill has been passed there which allows the servants of the Railway Commissioners the right to appeal.

Mr Deakin

- - But that Board deals with the matter before it goes to the commissioners.

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Mr CLARKE

- I would not be quite sure at what stage the appeal is allowed, but I believe that public opinion is in favour of a board of appeal being established for the members of the public service, and I would like to see some such provision introduced into this Bill. A Bill making some such proposal was introduced into the Lower House of New South Wales, but it did not pass, owing to the prorogation of Parliament. Now, I know from my own experience, during the short period I was in the public service in my younger days, that many officers are kept back owing to the peculiarities or the state of the liver of their superior officers, and I know, on the other hand, of other officers who, for some reason or other, have been shoved along, and I think it rather hard that an officer who may consider that he has been treated unfairly should have no right of appeal. I do not think that the Appeal Court would be used very frequently, but the very fact of its existence would afford a guarantee that justice would be done in making these promotions. Now I would like to say a word or two with regard to temporary employment. I am one of those who think that the clause that allows of a Minister putting on hands temporarily is one that is subject to a great deal of abuse. I have known men to be put on temporarily and to be kept on for five years, and in some cases they are still employed as temporary hands. I hope nothing of that kind will be done under our system.

Mr Deakin

- It is not possible.

Mr CLARKE

- Well I know that the New South Wales Act provides that temporary appointments shall not extend over six months, but they get over the difficulty by discharging an officer for a week and bringing him on again.

Mr Deakin

- But under our provision the same man cannot be appointed a second time within the year.

Mr CLARKE

- At any rate, I hope there will be nothing of that kind in this case. I think that when a man has served for over twelve months it is time his position should be considered, and that a decision should be given as to whether he is to be any longer regarded as a temporary or permanent officer. The honorable member for Gippsland has put his finger upon - I will not call it a weak spot in the Bill, because I do not know whether or not the matter is provided for in the Bill - but he drew attention to what is certainly a very important matter, namely, the selection of candidates for the public service. I think that the greatest care should be exercised in the selection of candidates, and that the men who are selected for the service should have good constitutions. More than that, I would make provision such as we have in the Police Act in New South Wales, under which even the Inspector-General cannot accept an applicant for the police force unless he has a certificate from the medical officer to the effect that he is physically fit.

Mr Deakin

- We have that here.

Mr CLARKE

- We have now an opportunity which rarely occurs, and I hope that we shall take advantage of it, to create a public service which will be a credit to the Commonwealth, and to establish it upon such a basis that the rights of the public servants will be properly conserved.

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Mr KIRWAN

- I shall not detain the House by referring at length to the details of the measure, because several of the speakers who have preceded me have dealt with them very fully. They have pointed out several of the minor faults of the measure, and all who have studied it will have noticed defects ; but those defects can, I think, be best discussed during the committee stage. I wish, however, to say something in regard to the evils of political patronage and social influence. The Minister for Home Affairs, when introducing the Bill, very properly said that the evils of social influence were quite as great as, if not worse than, the evils of political influence, and it seems to me that those who advocate an extension of the powers of the commissioner have not fully regarded the evils which may arise if his position is made too autocratic. It would be all very well to give an able and capable administrator autocratic powers, but commissioners do not always prove to be all that is expected of them, and to provide for the possibility of the appointment of a man who, while not realizing expectations, may not be sufficiently incapable to justify his dismissal, it is just as well that the powers given under the Bill should be distributed between the commissioner, the Governor in Council, and the heads of the departments. By that distribution of power to which some honorable members so strongly object, there is, in my opinion, more safety than can be obtained by giving the commissioner absolutely autocratic powers. But the clauses which chiefly prompt me to take part in this debate, are those which relate to the fixing of salaries and wages. I believe that a rigid system of economy should be adopted in the administration of the affairs of the Commonwealth ; and I am strongly opposed to the payment of extravagant salaries to officials who are near the top of the public service ladder. It has been said that where a certain salary is paid to the occupant of a State office it would be beneath the dignity of the Commonwealth to offer a lower salary to the occupant of a similar office under the Commonwealth, but, in my opinion, the State Governments have not always acted wisely in regard to the fixing of the salaries of the higher officials, and two wrongs have never yet made a right. I am of opinion that the Commonwealth should set an example of simplicity and economy of administration to the States rather than follow the example of the States in this matter, and I think it is quite possible for us to show that the greatness to which we hope the Commonwealth will grow may be associated with simplicity and inexpensiveness in the administration of the public affairs. But while we should avoid the extreme of extravagance, in regard to the salaries- of 'the higher officials, it is still more desirable that we should avoid the extreme of parsimony in connexion with the wages paid to those who are at the bottom of the public service ladder. In the State 'from which I come - and I think the same thing has occurred in the other States - small salaries are often paid to men who, though regarded as juniors, are given large responsibilities and have considerable trust reposed upon them. On the gold-fields, in the Post and Telegraph department, and in other departments, there are public servants who are receiving salaries which range from £2 5s. to £3- 5s. a week. Those salaries are being paid to men who are forced to reside

in places where the conditions of life are very hard and the prices of all commodities very high, so that it is very difficult for them to make ends meet. In many places men, with appearances to keep up and families to support, receive less than any self-respecting unskilled labourer would accept. It must be remembered, too, that the fever of money making has been very strong amongst the population residing on the gold-fields, and the officials of the Telegraph department have frequently to transmit messages containing secrets concerning the working of the mines which would be of considerable value to those who indulge in gambling on the Stock Exchange, and they are constantly under the temptation of being offered large sums of money to reveal these secrets. Then, again, the officials in the money order offices have in some cases hundreds of pounds passing through their hands, and it has happened, as might have been expected, that telegraph operators have yielded to temptation, and revealed secrets which they should not have revealed, and that officials who have had large sums of money passing through their hands have been tempted to speculate with it. The careers of these men have been ruined ; but I regard them as victims of the parsimony of the State, and it is to be hoped that such low wages will not be paid in the Commonwealth service. I am strongly in favour of the suggestion which has been made by several of those who preceded me that the increases of salary should be automatic, until what is regarded as a living wage is reached, because it seems to me that no person in the service who has passed beyond the period of boyhood should be receiving less than he can be fairly expected to live upon. The parsimony to which I have referred has not only done injury to individuals in the service, but has also resulted in considerable loss to the State. The sums of which it has been defrauded by defalcations have often been large enough to provide a good all-round increase ; so that it is a penny wise and pound foolish policy that I wish the Commonwealth to avoid. I hope, too, that full allowance will be made for the conditions under which public servants who are located in tropical districts, or in the interior, have to live. There are men on the sandy plains of the interior, and in the unhealthy temperature of the tropics, who are doing splendid work for the community. They are living under conditions which are likely to prove injurious to their health, and they are far removed from the society of their fellows. Long residence in those lonely places not only affects men physically, but very often has an effect upon their mental constitution, and the Commonwealth should take these circumstances into consideration, and make full allowance for them. I hope that those who administer the public service of the Commonwealth will take every advantage of the provision which permits special allowances to be made to men who are located in out of the way and unhealthy places. Another point which has been touched upon by several honorable members, and to which I would like to refer, is the question of selecting candidates for the public service according to their physique.. It is certainly very desirable that our public servants should be healthy; but we must remember, in considering the speech of the honorable member for Richmond, that, after all, what is needed in the public service is not muscle so much as brains. There are some men who are not so much endowed by nature as are others, and whose physique is not so much to be admired as that of those gentlemen on the front Ministerial bench to whom the honorable member for Richmond referred. There are certain men in the community who are not fitted to go into the bush and do the rough pioneering work of this new country, and the avenues of employment are restricted for those men. They have to rely on their intelligence and on their pens, because they are unfitted for outdoor work. I am sure the House will agree with me that this policy of selection by physique might be carried too far, and it would be a very harsh thing to restrict the avenues of employment to those who have shut to them many means of employment open to others better physically endowed. There is one other thing else I would like to refer to. Some members of the House complained about the shortness of time that elapsed between the Bill being placed in their hands and its introduction by the Minister. Those honorable members objected to the shortness of time on the ground that they had not had sufficient opportunity to study the provisions. I am not going to object to the shortness of time on grounds of that kind, but I venture to offer a suggestion in connexion with similar Bills. As honorable members are aware, the constitution of the Federal Parliament is altogether different from the constitution of any of the State Parliaments, inasmuch as there are honorable members from all parts of the Commonwealth, and some of those places are a considerable distance from where we sit. If a Bill is introduced into the Parliament of Victoria, that Bill can be distributed all over the State within a few days, and public opinion has a chance of expressing itself on the measure. This Bill, perhaps, is not so important, in the sense that we should get an expression of public opinion, as are other Bills which are likely to come before us. For instance, there is the Bill which will relate to kanaka

labour. We would all very much like to know what the people of North Queensland think of a measure of that kind, but we shall have no opportunity of learning their views if the Bill be placed in the hands of members one day and brought before the House two or three days afterwards. A reasonable time might be allowed for an expression of opinion to be obtained concerning those measures - an expression of opinion through the medium of the press, public meetings, or in other ways. There is at least one association in the State to which I belong whose views on a measure of the kind now before the House would be of considerable assistance. I am sure there are none who would more readily repudiate than honorable members of this House the idea that the brains of the Commonwealth are concentrated in this Chamber. We need not necessarily follow in every respect all the advice we get from outside ; but I am sure members are always glad of any advice which materially assists us in the work of legislation. Before I sit down I would like to say that this measure possesses more importance than is attached to it by some of the speakers. It is true it affects between 11,000 and 12,000 civil servants; but, more than that, its indirect influences extend to the whole people of the Commonwealth. By the working of this measure, public opinion will, to a certain extent, be guided as to the benefits or otherwise they believe they are deriving from federation. The mass of the people of the Commonwealth will largely judge of federation by the working of the departments under Federal control. It is, therefore, of the utmost importance, if we wish the people of the Commonwealth to think well of the institution that has just been started, that every effort should be made to have the departments work satisfactorily. It is very gratifying, indeed, that this measure is not dealt with in any party spirit, but that there is a general desire to do what is best for the whole community.

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Sir EDWARD BRADDON

- I do not desire to protract the debate, but I would like to make a few remarks, more particularly in reference to one division of the Bill, of which I do not think much notice has been taken. The Bill is an exceedingly good one, which we may well hope by possible amendment to make a perfect measure for the inauguration of our public service. To those honorable members who have suggested that the commissioner is too autocratic, or that the Minister of the day has too much power under the Bill, I would suggest that it certain l y behoves us to see that the Ministers of the day are held primarily responsible as the' only people to whom we can turn if we have to offer any adverse criticism to an appointment or have any explanation to ask. We cannot summon the commissioner before us to answer anything, and the Ministers who are responsible for the whole administration of the Commonwealth are clearly the people who should be the ultimate resort in regard to appointments, dismissals, or other matters. I see that to the fullest extent, and I am sure that is the way in which we can best secure to the members of the public service just and proper treatment, and also secure for the great body of taxpayers such an efficient service as they have a right to demand at the hands of those employed. According to clause 5, the Bill, as I imagine, contemplates the possibility of the commissioner being an officer already in the Commonwealth service.

Mr Deakin

- Or in a State's service.

Sir EDWARD BRADDON

- Or in a State's service. And for reasons of economy, which should certainly be practised at the outset of our proceeding, I think the contemplation very desirable. The inspectors will, I take it, all be members of the different State services. I could point to an officer in Tasmania who, beyond all comparison, would be the man to act as inspector for that State - that is the present Auditor-General. Those appointments could be made at very inconsiderable cost, and would make matters much easier for the Government. There is a provision in clause 6, sub-clause 4, which to my mind, while it opens the door to the appointment of those inspectors from the body of the services, also opens the way to the appointment to the service of some one from outside - an appointment which might prejudice the great body of civil servants.

Mr Deakin

- That can only be done on the recommendation of the commissioner.

Sir EDWARD BRADDON

- That is true, but there are tilings one would not like to have done even on the recommendation of the commissioner.

Mr Deakin

- The clause the right honorable member mentions is that which provides that if a man, who has been appointed inspector, is found to be either incapable or unsuitable for that office through physical incapacity for travelling or want of the necessary tact, he may be transferred without being punished.

Sir EDWARD BRADDON

- But then for the rest of his term of service of seven years he may be appointed to the ranks of the public service.

Mr Deakin

Sir EDWARD BRADDON

- And that may tend possibly, almost certainly, to prejudice the case of other members of the service who will to some extent be injured by the appointment.

Mr Deakin

- But probably one of the other civil servants would be taken to fill up the inspector's place. What could we do with a man who, though honest and upright and apparently fitted for the office, was found not to be fitted for the particular duties?

Sir EDWARD BRADDON

- I hope such a man will not be elected.

Mr Deakin

- I hope not ; but suppose he is ?

Sir EDWARD BRADDON

- Then it would be a bit of bad administration. In sub-clause 5 of clause 8, which deals with the enforced retirement of excess officers, there is a provision which will probably prove exceedingly harsh to a number of civil servants of the Commonwealth. The time must come very shortly when there will be a large excess of officers.

Mr Deakin

- In the Commonwealth ?

Sir EDWARD BRADDON

- In the Customs department. When the uniform Tariff has been passed, and when the bookkeeping system has been abolished, the Customs staff will be greatly in excess, or at any rate some degree in excess, of its requirements. I am not objecting so much to the enforced retirement of these men as to the fact that they are to be retired with out any sort of allowance, gratuity, or pension except the very small amount they would receive in their own States under the conditions on which they left the State service for the Commonwealth service. I am sure honorable members of this House would not desire to see men turned out of office.

Mr Deakin

- Hear, hear.

Sir EDWARD BRADDON

- And at an age possibly when it would be impossible for them to take up some new career, turned out practically penniless. In clause 56, dealing with forfeiture of office, there is a provision which must have slipped in by mistake - namely, that officers found guilty of fraud or dishonorable conduct are to be reduced one grade. Surely officers found guilty of fraud or dishonorable conduct-

Mr Deakin

- The clause provides that such an officer may be dismissed or reduced.

Sir EDWARD BRADDON

- But if it is left practically to the Governor-General to reduce merely one grade for an offence of that sort-

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Mr Deakin

- The words , are - " Fraud, dishonorable conduct, or extravagance." A man may be dismissed for fraud or dishonorable conduct, or reduced for extravagance.

Sir EDWARD BRADDON

- The words are -

If it appears from the report that such officer has been guilty of fraud, dishonorable conduct, or extravagance, such officer may be dismissed from the public service, or reduced to a lower

. grade.

Mr Deakin

- Exactly.

Sir EDWARD BRADDON

- That is for one or the other, even if it be fraud or dishonorable conduct.

Mr Deakin

- I do not think there is much chance of reduction for fraud.

Sir EDWARD BRADDON

- The chance is there. But what I think is of more importance than anything I have touched on is the question of insurance of the lives of members of the civil service. The Commonwealth will start with a very large body of civil servants - some 11,000. No doubt, even allowing for the necessary reductions that may be made time after time, such as those I mentioned in the Customs officers, as time rolls on the service will increase largely. I think it would be infinitely better if the Government adopted in this Bill one system for the whole service as to the insurance of lives. In the case of certain officers clause 49 provides for this being done directly by the Government. But why should not the Government - a great government, a government of a great nation - establish at the outset a retiring and provident fund for all its servants? I would also insist not only upon the officers of the Government paying their premiums regularly into the fund, but would also subsidize it handsomely, so as to establish a real solid fund, upon which public servants might retire in due course with some hope of having fairly comfortable means to support them.

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Mr JOSEPH COOK

- I recognise, with many other honorable members, that the real work in connexion with this Bill will be done in committee. Looking at the measure at first sight, one cannot but be struck with the loose way in which the powers it confers are scattered throughout the various clauses. For instance, one does not quite know where the function of the Executive begins and where it ends; where the function of the commissioner begins and where it ends; and where the function of the permanent head begins and where it ends. They seem to be so intermixed and interwoven throughout the Bill, that it is really very difficult to find out what is the amount of responsibility involved in each case. It seems to me that some effort should be made in committee to meet the difficulty and fix the responsibility - if not accurately, at any rate as nearly as possible. I recognise that the provisions of any Bill of this kind should be made as liberal as it is possible to make them. At the inauguration of this new Commonwealth, we do not want to have anything like parsimony attached to our State service. We want to make the terms as liberal, as possible, but at the same time as fair and equitable as they can be made, so that those officers who are working for the Commonwealth may be treated at least as well as persons in private employment. This must be our aim. I would even say that we should make the conditions of the public service, if anything, more attractive than the conditions of employment outside. At least the man who serves the State should not be worse treated than men in corresponding positions in outside institutions. The idea of the measure should be to obtain good service for the State on the one hand, and on the other to see that the service is justly and fairly remunerated. There can be no question as to the great amount of good or harm that may be wrapped up in a Bill of this kind. During the debate there have been various criticisms on measures that have existed for some time in the States. I venture to say that those criticisms have been marked by all the prejudice that perhaps naturally attaches to persons who have unconsciously become biassed in regard to State legislation upon this subject. For instance, we have been told that in New South Wales there are two forms of the public service, presenting a very striking contrast. It was said that one form of the public service of that State has shown a deplorable want of organization and legislation, and that the results of it have been very disastrous indeed; whilst in the other form, in the great railway service of New South Wales, we have an admirable instance of what can be done in the way of successful civil service administration and organization. But I venture to say that that contrast does not quite exist. If honorable members who know anything of New South Wales conditions, or those who know anything of the public service legislation of that State, will reflect, they will recognise that in the early years of the Railway Commissioners such a state of turmoil and trouble existed as has not been since equalled in the history of civil service reform. Nor do I suggest this to lead honorable members to suppose that the trouble in New South Wales was in consequence of the legislation which existed - except

indirectly. It must be remembered that when this legislation was enacted in that State, our civil service had got into a most deplorable condition, and very hard, necessary, stern work had to be done in order to make an impression upon the state of affairs existing there. Very naturally, also, when work of this kind had to be undertaken, there was more or less harshness exercised, and very great injustices were perpetrated. But the real trouble arose in consequence of the condition into which matters had been allowed to drift in the exercise of the so-called beneficent political control. The great trouble in a Bill of this sort is to know exactly how much responsibility should be incurred by Ministers, and what kind of responsibility it ought to be. I take it, with the last speaker, that in the last resort Ministers must be held responsible for the service; but the question we have to consider is - Is the responsibility to be largely a responsibility of control, or a responsibility of active interference? I seem to see in this Bill the latter kind of responsibility introduced to too great an extent altogether. As the Bill is drafted it appears to me that the Executive Minister may do pretty well what he pleases, both as to the regulation of the service and the discharge of servants, and may otherwise manipulate the service - that is to say, the branch of it which is under his immediate control - in any way to suit his whim or will. We have had examples of what the public servant can degenerate into in the case of purely Ministerial patronage, and I hope that whatever is done by means of this Bill, we shall leave it in such a condition that that kind of thing is not possible of recurrence. I hope that we shall so frame the measure that the discharge of civil servants and their promotion from one class to another shall take place only after the fullest examination and test of fitness on the part of the people who are concerned in these transactions, and shall not leave it, as it undoubtedly is left in this Bill, to the sweet will of the responsible Minister to treat the service in any way he pleases. I agree with the honorable member who suggests that much of the success of this Bill will depend on the kind of man we get as commissioner. If we get a good man, no doubt he will do good work; but there is this danger as the Bill is drafted - that in proportion as the commissioner is a strong and masterful man so is he likely to come into conflict with his Ministerial head. For that reason the functions of the Minister, who is to take the responsibility in the final resort, and of the commissioner, should be made very much clearer than they are in the Bill. As to the scope of the Bill, to my mind there is just a little loophole in clause 3, which allows the Governor-General in Council to do very much as he pleases; and I venture to say that the examinations possible under the last paragraph of that clause open up a vista of possible favoritism and influence on the part of Ministers of an altogether undesirable kind. It is no answer to what I am saying to state that we have Ministers in Parliament and can punish them; for the very reason for the framing of this Bill is that Ministerial responsibility shall not be carried into the minutiae of a service like ours. We have seen the results accruing from purely Ministerial patronage and control in the other States, and I take it that this Bill is introduced for the purpose of fixing the service so as to not allow it to be controlled upon the mere caprice of a Minister, no matter how perfect he may be. Personal government is impossible, even though personal responsibility is not. Therefore, the aim of this Bill should be to make the responsibility which Ministers have more a responsibility of trust than a responsibility of actual interference. I see in the Bill an attempt almost to direct the Minister - for it nearly amounts to that - to actively interfere in the investigation of the abilities and qualities and eligibility of candidates from time to time, that I hope the Bill will receive such modifications in committee as will altogether do away with that danger. The examination possible under clause 3 seems to me to give the Governor-General - which means the Minister - very wide powers indeed. I say again that if we have a commissioner who is able to stand up and assert himself, perhaps that may be all right; but if we have a commissioner who is a good man and a popular man, but has no masterful qualities which will enable him to stand up to the Minister and speak his mind fearlessly - and I can understand a weak commissioner of that kind, although he may be popular in other respects - we may open the way to some very strange things indeed. I agree, too, with those who say that women are placed under a disability by means of this Bill. If women are to be employed they should be employed under the same conditions as are men; that is to say, they should be paid what they are worth. If they can do the kind of work they are engaged to do as well as men, let them by all means have the same salary. It is quite an anomaly that we should treat women in a different way from that in which we treat men. If we are - to have female employees in the Commonwealth service - and I, at any rate, am not averse to it; I rather like the idea - let it be employment on a fair footing, and do not let us have women introduced into the departments for the purpose of bringing down the wages of the men. I repeat that if the female does the same work as the man does,

and performs her duty satisfactorily, let her be paid at the same rates as men are paid. Then the chances will be equal as between the two. But if we give a woman less than we give a man, we are introducing a very dangerous principle, and one which is in the last degree inequitable to the women themselves. I am also in favour of the suggestion that has been made by the honorable member for South Australia, Mr. Poynton, with regard to the youths of the service. I should like, as he has suggested, to see these youths moved along from the 5th class automatically unless there is some special reason against it. I understand the honorable member has suggested as a check that the increments may be stopped upon an unfavorable report being obtained from the immediate head of the department in which the youth is employed. That seems to be quite a sufficient check upon these automatic increases until the men get up to the point of receiving a living wage. I think it is deplorable that we should have strong and willing men of 21 or 22 years of age in our services who do not get enough to actually keep themselves. I think it is a reflection upon the public service as a whole. If these young men have passed the necessary entrance examinations they should at least be able to go on until they receive a living wage, always provided that they do their work well. A check being interposed in the shape of a report by the permanent head would always be a guarantee that they did their work well, and that should be the only bar to their advancement to the receipt of a living wage. I am not sure that . clause 37 is not a little too drastic. It applies only to the professional and clerical divisions, and that reminds me that one of the peculiar features of this Bill is that it does not touch the special division. That division can be dealt with by the Ministers as they will, and I have yet to learn why these specially trained men cannot be classified in the same way as those who have professional or clerical qualifications only. There ought to be no difficulty in classifying these special officers, because they are classed in the various departments of private employment outside. As I said, this clause is rather too drastic. I am one of those who believe that a man when he gets on in years loses his aptitude for purely examination tests, and I think that if sub clause (4) were made to apply to the whole clause no very great injustice would be done. Instead of requiring that officers should be passed from one class to another by examination only, they might be allowed to pass on the report of the permanent head of the department, or of the commissioner, that it is desirable that they should be promoted. The commissioner and other responsible officers are appointed to look after the public interests, to see that the best use is made of the talent available, and that the service is kept up to the proper standard, and if they say that an officer is quite eligible to be transferred to a higher class, why should we mistrust their report and require an examination, perhaps conducted by people who are not so well able to judge of the officers' abilities as are the permanent heads of departments or the commissioner ? It seems to me that no very great wrong could be done if we were to allow sub-clause (4) of clause 37 to operate as to the whole clause. Then again, I think there ought to be some right of appeal from the decisions in these cases, away altogether from the Minister and away from the commissioner, and away from the permanent head.

An Honorable Member. - We should never have any finality.

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Mr JOSEPH COOK

-O yes, I would. I would constitute a Court of Appeal to which officers would have a right to go and. make the best of their own case.

Sir William McMillan

- There is provision under which a board can be appointed.

Mr JOSEPH COOK

- Where?

Mr Deakin

- In clause 71, sub-clause (d).

Mr JOSEPH COOK

- I see that this again is all subject to the veto of the Governor-General, or more correctly speaking, the Ministry. That would not be a final Court of Appeal, but its decision would rest ultimately upon the approval of the Ministry, and it would really be a court of investigation only. My idea is to constitute a final Court of Appeal, and to let them decide as to the merits of a case. I do not know that I shall trouble the House with any further remarks. This is a Bill essentially for committee work, and we may all very well join hands in considering a measure of this kind, and try to make it as perfect as possible. With all the

aggregated experience of the various States we should by this time be in a position to so frame a Bill that, whilst on the one hand we shall not take away from the Ministry their responsibility to this House, we shall on the other hand do the service full justice by striking a happy mean between direct Ministerial responsibility and the independence of the service generally. I hope that in committee this happy mean will be found, as I believe that is the real crux of the difficulty which has to be solved in connexion with public service administration.

Mr. BATCHELOR.(South Australia).There has been a pretty full debate upon this measure, but no honorable member need make any apologies for entering into a discussion of this matter at any stage, because we can hardly conceive of a more important Bill as a machinery measure. I take it that it is the most important of the machinery Bills that we shall have to discuss in the early stages of this Parliament, for the reason that, upon the methods that are adopted in this Bill for encouraging those who have to carry on the practical Government of the country, a great deal of the success of our legislation depends. It is only by sensible and efficient methods of encouraging the members of the public service to put forth their very best efforts that we can hope to secure the best results. One thing I desire to say is that I do not altogether agree with some strictures that have been passed by some honorable members. I think the Bill is exceedingly well drafted, and altogether I should like to congratulate the Government upon the measure we have before us. The intentions, it seems to me, are clearly set forth, and although, as the last speaker has said, there is not a consistent policy adopted all through, particularly as to where the powers of the commissioner end and the direct Ministerial control comes in, the reason for that apparent want of consistency is pretty patent, although one may not agree with it. It has been suggested that it might have been wise to consult the public service organizations in the various States before this Bill was finally adopted. I do not know whether that would have been judicious, or whether it would have produced very good results, because I find that the services of the different States are certainly not asking for the same thing. There is no general demand for the same thing throughout the services. I happened to attend a demonstration of public servants in New South Wales recently, and certainly the most popular remark that was made by any speaker on that occasion was that of one gentleman, who said he was in favour of abolishing the Classification Board. In South Australia, on the other hand, the whole service is asking for the appointment of a Classification Board. The same thing applies in other respects. We could not get any general expression of opinion where the conditions vary so much, and where the servants are working under Acts differing so greatly, and I do not think we should get information that would be of much value in guiding us.

Mr Higgins

- The feeling in the different States as to the Classification Boards depends upon the boards.

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Mr BATCHELOR

- That is probably the reason for the difference of opinion. In South Australia they have no board, and they are asking for it. Now, the principal provisions in this measure are those which relate to appointments and the promotion and retirement of officers, and the Government, propose in this Bill that the chief control of these matters shall be vested in a single commissioner. I heard some suggestion that a board of three would be preferable to a single commissioner, but I do not agree with that. I believe that if we have one commissioner we shall know on whom to fix the responsibility. The experience of most of us is that boards do not provide the most satisfactory method for controlling and carrying out executive work, because of the difficulty of fixing the responsibility. As far as appointments in the clerical branch are concerned, of course the Commissioner will have very little scope - that is very evident from the provisions of the Bill. He will not need to exercise very much judgment in the selection of candidates. The ages of applicants for admission to the service are limited to from 16 to 21 years - with some exceptions, which I need not now mention. Then out of the number of candidates who submit themselves there will be first the limitation by lot, which is a practice I am not very certain I agree with, because it seems to me to be distinctly contrary to the best interests of the service to see lads who have been specially educated to fit them for the clerical branch thrown out of competition by the cast of a die. Probably the best men would not be able to present themselves for examination at all. Of course we know what the object is - it is supposed that there will be such a rush for appointments to the service that there must be some means of limiting the number of applications; but I cannot say that I like the proposed system. It will inevitably

shut out some of the best of the men, and the element of chance operating to shut out a great many men, who would be most suitable, seems to me to be objectionable. After a certain number have been thrown out by this method of choosing by lot, those who remain in must undergo a competitive examination, after the Chinese system, under which the passing in competitive examinations is the only entrance to the public service. I do not know that, the Chinese system has been an unqualified success.

Mr Deakin

- Does the honorable member know what Chinese candidates are examined in ?

Mr BATCHELOR

- I believe that they are examined chiefly upon their knowledge of the doctrines of Confucius

Mr Deakin

- Yes; in their most archaic form.

Mr BATCHELOR

- I do not want to compare the system provided for in the Bill with the Chinese system, because I presume that the subjects in which candidates for our public service will be examined will have more bearing upon the work which they will afterwards be called upon to do than have the subjects of the Chinese examinations. As a matter of fact, I do not know that anything better than a competitive examination can be devised for the selection of the brightest and best of the boys who present themselves. Of course the examination test is not a perfect one, because some persons develop late in life, and the precocious lads may not grow up to be the most capable men. Still we must be practical, and I do not see what test could be substituted for the competitive examination. In the branches of the service other than the clerical division, the Commissioner and his inspectors will make the selection. I would like, however, to draw attention to the provision that boys of any age may be employed as messengers.

Mr Deakin

- Clause 28, sub-clause 2.

Mr BATCHELOR

- I think that that provision is an objectionable one, and I presume that the Government will be willing to accept an amendment laying down a minimum age.

Mr Higgins

- I know a person aged 25 who is getting only boy's pay.

Mr Deakin

- The provision in the Bill was inserted to prevent that sort of thing.

Mr BATCHELOR

- But there is nothing in the Bill to say when the boys employed as messengers shall cease to be so employed.

Mr Deakin

- That will be provided for by regulation.

Mr BATCHELOR

- Will the Commissioner be able to keep them on after they reach the age of 21 years ?

Mr Deakin

- The intention is that they shall be employed only as boys, and that when they grow out of boyhood they shall be discharged and other boys engaged in their places, because the service will not provide opportunities for their employment in suitable occupations. It was found under the old system in Victoria, that persons who entered the service as boys to do boys' work remained in it until they grew up to be men; but they were still paid boys' wages.

Mr A McLEAN

- I suppose that if there are suitable vacancies they will be kept on.

Mr Deakin

- Yes ; if they pass the examination.

Mr Higgins

- Will they be given an opportunity to pass the examination ?

Mr Deakin

- Yes.

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Mr BATCHELOR

- They should be given an opportunity to pass the examination, and to enter either the clerical or the general division of the service. I think that it will be a pity to take on more boys as messengers than can afterwards be absorbed in the service. We do not want to run the country with boy labour but in the past a greater number of boys have been taken on in the public service than there has been room for. In some of the railway shops a great deal of the work has been done by apprentices, the object of taking on boys being, not to teach them a trade, but to obtain cheap labour.

Mr Mauger

- These persons are employed during their best years at low wages.

Mr BATCHELOR

- After they have served four, or five, or six years, they are often dismissed, without any prospect of obtaining employment at their trade, because more tradesmen are being turned out than the country can absorb. In this way the Government have assisted to create excessive competition, and to bring down the rates of wages unfairly. In regard to sub clause 2 of clause 28, I would suggest that the words - But nothing in this sub-section shall be taken to prevent the appointment of boys of any age to be message boys or junior messengers - should be placed at the end of the clause, because the next sentence reads -

In cases of special duties the Governor-General may, however, on the recommendation of the commissioner, extend the age from 40 to 45 years.

Of course 45 years is a pretty good age for a boy to be. We have had a long and an interesting discussion on the advisability of abolishing political influence, and as to the extent to which political influence has proved objectionable. I agree with the remarks of the Minister for Home Affairs, who said that, while the system of political appointments was very harassing to members', he did not think it had had such a bad effect upon the service as the exercise of departmental, social, and private influence of many kinds would have.

Mr Thomson

- Those influences could be worked through the Minister.

Mr BATCHELOR

- But the Minister is directly responsible to the members of the Legislature, who in turn are responsible to their constituents, so that there is not much danger of any glaring injustice taking place.

Mr Thomson

- The responsibility of the Ministers did not count for much in these matters in New South Wales.

Mr BATCHELOR

- I think it is quite probable that political influence has been used to the detriment of the public service ; but one can speak only from personal experience in these matters, and it has been my experience in South Australia that political influence of an objectionable character has very rarely been used. At the same time, there is a risk that private influence may be brought to bear by men who are not amenable to public opinion as Ministers are, and that this influence may be used against the interests of the service. I remember that on one occasion a man came to me, and asked me to assist him in getting a billet as porter in the railway service of South Australia. Now, the Railway Commissioners have full control of railway matters in South Australia, so that there is no such thing as political patronage there, and I had to tell the man that it was quite useless for him to come to me or to any other Member of Parliament with such a request. He said, "Well, don't worry about it; I shall go and see Mr. So-and-so" - mentioning the name of the head of a firm doing a large amount of business with the commissioners - "he can get me on at once. I came to you only out of compliment, as I am one of your constituents."

Mr Harper

- Did the merchant get him on?

Mr BATCHELOR

- Leaving that out of the question altogether, the fact that the man believed that he could obtain private influence of such a character showed that there was a possibility of influence being used which would be much worse in its effects than any political influence.

Mr Higgins

- Because there would be no responsibility behind it.

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Mr BATCHELOR

- That is so. At one time there was a suspicion that this gentleman, who was said to have a great deal of influence with the Railway Commissioners, received special favours from the men, and that would naturally happen if he could use such influence. However, I do not think that that state of things exists now, and I have referred to the case only as an illustration of a kind of influence which I regard as highly objectionable. The possibility of political influence being of service makes things very unpleasant for Members of Parliament, and all who have been in political life- for any length of time have been very much worried by constant applications for billets, or what is still worse, by applications from men who are already in the Government service to use influence to obtain promotion for them. One cannot find fault with the man who is out of work and who uses every endeavour to obtain employment - such a man has a right to do what he can for himself ; but I think it is a good thing to take from Members of Parliament all influence in regard to appointments, so that there can be no suspicion that advantages are being given to any political party, which is the real objection to political influence. The honorable and learned member for Parkes said that in his opinion the non-political administration of the Railway Commissioners had been a striking success, and I think that, taking all the States into consideration, it has been a success in the matter of removing the fixing of rates for the carriage of merchandise and the general management of the railways from the sphere of political influence. But I do not think that it has been such a striking success in regard to the control of the men in the service. It has been said that, as a result of the removal of the railways from Ministerial control, fewer cases of grievance have been brought before Parliament ; but that statement has not been borne out by South Australian experience, because, since the appointment of Railway Commissioners in South Australia, the Legislature of that State has had more railway grievances brought before it than were brought before it in the past.

Mr Higgins

- That has been the experience in Victoria, too.

Mr BATCHELOR

- I do not know that so many grievances of individuals have been brought forward, but cases in which a number of men are affected have frequently been brought under the notice of Parliament, and the Minister for Trade and Customs will bear me out in the statement that, since the appointment of Railway Commissioners, an immense amount of the time of the South Australian Parliament has been occupied in discussing the grievances of railway men. One way in which the railway commissioners - and we can give this as typical non-political management of a public service - could very much lessen the raising of questions in Parliament, and do a great deal to prevent grievance, is by encouraging, as far as possible, organizations in the service'. The more organizations are encouraged by the commissioners, the less friction there is. I was president of a railway service association for several years, and during that time the Railway Commissioners encouraged us as far as possible, and met us in every way they could. The result was that most of the individual grievances were threshed out within the organization itself, and in very few cases was it found necessary to go before the commissioner.

Mr Mauger

- They believed in collective bargaining.

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Mr BATCHELOR

- Just so. In an organization, consisting practically of all the men in the service, it is not likely that there will be brought before the head of the department unreasonable complaints or cases which have not good grounds for their support. On the method of promoting officers of course depends the efficiency of a service. Some honorable members have stated that they are inclined to place seniority before merit, but I certainly must say that I do not believe in that system one bit. I admit that without that system favoritism has to be risked, but some incentive must be held out to men to put forth their very best energies- If there be an automatic promotion year by year, from class to class, with automatic increase of wages, the senior man being taken in every case, I am quite sure the service will never be really efficient. While on the average there may not be any case of glaring wrong, still the natural tendency of such a system is to depress those who would otherwise put forth special effort. Under that system men have really no interest in anything at all - no interest in preparing themselves or doing specially good work. Their only interest

lies in the first-class funerals in the service as their only hope of rising. It frequently happens that the Minister, or whoever is head of the department, wishes to promote some very deserving officer, who instead of being senior may be only fifth or sixth in the list of a particular class, and a great disadvantage of the seniority system is that there is no possibility of promoting such a man unless the head of the department is prepared to also promote those above the officer. That has frequently happened, and I know a case in which it happened in my own State. In order to promote a man fifth on the seniority list the head of the department was practically compelled to promote four others who did not really deserve it, in order to promote the fifth. Those four men were really good sort of fellows, and earned the money they were then receiving, but there was no justification, except compulsion, for promoting them to another class. I notice there has been some objection, taken to the Government interfering in the matter of dismissals. We know that the Governor in Council means the Government. No doubt dismissals have been hedged round pretty closely by the Government, who, according to clause 41, come in as judges under the Act. I want to draw the attention of the Attorney-General to the contrast between the proposal in clause 8, dealing with retirements if there be an excess of officers, and the proposal in clause 41 where dismissals are hedged round--

Mr Crouch

- Clause 41 applies only to the special division.

Mr BATCHELOR

- Yes, clause 41 applies to the special division.

Mr Deakin

- In clause 40 dismissals are hedged round.

Mr BATCHELOR

- About the same practice is adopted in clauses 40 and 41. In sub-clause (2) of clause 41 we read - On receiving such a recommendation, the Governor-General may dismiss such officer from, the public service, or reduce such officer to a lower division and. salary or impose such penalty or other punishment as the case demands.

This is dealing with the case where on inquiry charges have been found to be true, and where a recommendation has been made that the punishment should be imposed.

Mr Crouch

- That applies really to permanent heads of departments.

Mr Deakin

- And a few others.

Mr BATCHELOR

- And a few others. In clause 40 referring to officers generally we find -

The commissioner may according to the nature of the offence reduce such officer to a lower class or grade and salary or wages, or the Governor-General may dismiss such officer from the public service or require him to resign.

There has to be a board to inquire before that can take place. On the other hand, in clause 8, the commissioner has power, without any board of inquiry, to get rid of any number of officers ; and the loophole here may be seen. An officer might be generally objectionable, but a board of inquiry would not be likely to uphold general objections. Or it might be found that a board of inquiry had been held and that the charges against an individual had not been confirmed. Notwithstanding that, the Commissioner has power to get rid of officers on the ground that the number is in excess of what is required, and he can do that without any sort of inquiry at all.

Mr Thomson

- Subject to the Governor-General's approval.

Mr BATCHELOR

- I admit the Governor-General may call on an officer to retire from the public service, but the point I am raising is the case of an individual officer who has committed wrong, and in regard to whom there has been a board of inquiry. In such a case all sorts of difficulties are raised about dismissal.

Mr Deakin

- The case has to be proved. The difficulty is not as to the dismissal of the man, but as to proving that he deserves dismissal.

Mr BATCHELOR

- All sorts of difficulties are raised in order that an officer shall not be dismissed lightly.

Mr Deakin

- Hear, hear.

Mr BATCHELOR

- On the other hand the commissioner - though I would not say he would act wrongly in such case-

Mr McCay

- I think the honorable member's supposition is that the commissioner will be absolutely dishonest?

Mr BATCHELOR

- Nothing of the kind.

Mr Deakin

- But before the commissioner gets so far, he has to search every department in the service to see if it is possible to transfer officers in excess.

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Mr BATCHELOR

- Exactly. The commissioner must look all round the service, but he may come to the conclusion on very insufficient evidence that the men are not required. He may be just as likely to come to that conclusion as in the case of an individual officer who may be charged by the head of his department with having done something wrong ; but in the one case there is to be a board of inquiry, while in the other case the matter is left entirely to the sweet will of the commissioner. I draw attention to these points, not so much to complain, as to show that while we are careful to preserve the rights of the civil servants against unjust dismissal, if there be a suggestion that an officer has done wrong, yet, on the other hand, we are not nearly so careful in cases where there may be an excess of officers. I do not know that I would not vote for an appeal board to look into those latter cases if such a proposal were made. With regard to the question of life insurance, in South Australia, so far as the railway services are concerned, there is a plan similar to that proposed in the Bill.

Every man who joins the railway service in that State is compelled to insure in some approved office.

Mr Thomson

- With the same privileges and benefits as in the Bill?

Mr BATCHELOR

- I have not compared the plans closely, and possibly there are some differences. I am talking about the necessity laid down in the Bill of going to some approved assurance office. In the Education department in South Australia the teachers have what is called a superannuation fund, and in a Bill brought forward in that State quite recently by a Minister similar proposals have been adopted, dealing with the whole civil service. A royal commission has also gone into the question pretty fully, and recommended the superannuation fund as against life insurance for the service generally. I ask the Govern- . merit just to look into these matters, and to consider whether the proposal favoured in South Australia would not be better than the method suggested in the Bill. Then in South Australia, when a holiday occurs, it is as far as possible observed on a Monday, This of course does not apply to Good Friday. Christmas Day, or holidays of that kind, but as far as possible all public holidays are held on a Monday, the object' being, of course, to give a longer holiday, which is of much more value. Public servants in South Australia have holiday from Saturday midday till Tuesday following, and it works very well, enabling them, if they choose, to go away into the country. I do not think there has been the slightest complaint since the practice has been adopted, and if it could be adopted generally in the Commonwealth service, I am quite sure it would give satisfaction.

Mr A McLEAN

- It has been adopted in Victoria.

Mr BATCHELOR

- Then I dare say it has been found generally to be a great boon to the public servants in Victoria. On the whole I like the Bill. Some amendments have been proposed, which I shall certainly support. We want to examine the proposals in committee, so as to get what I am sure is the object of every member of this House, a Bill which will produce the very best results and give the greatest possible incentive to the members of the service to put forth their best work.

Mr CROUCH

- I had intended to reserve the remarks which I have to make upon this Bill for committee, but looking at the clauses affecting the principles of the measure, I thought I could not do better than speak upon them at the second reading stage, indicating my attitude with regard to them without waiting till the particular clauses come under review in committee.. With regard to other clauses, I will leave them until they are reached. It strikes me that we have in this Bill adopted a number of provisions which are not found in the legislation of any State except Victoria. One of those provisions is in regard to putting the Defence department by itself as a branch of the public service. If honorable members will refer to clause 1 2, sub-clause 2, they will find it provided there that -

The permanent head of a department shall be responsible for the general working of the department, and for all the business thereof, and shall advise the Minister in all matters relating, thereto.

That is the practice which has obtained in Victoria alone, among the Australian States, in the case of defence. In New South Wales the general or commandant of the local forces, is the person responsible to the Minister for Defence for the administration of the military affairs of the State. I am assured by the honorable member for Darling Downs that a similar practice obtains in Queensland. The Minister having experts and persons with technical knowledge to advise him upon military matters, is to a large extent directly guided by those officials in the other States, but in Victoria the system is different, and I do not think the system here has been accompanied by such good results that it should be followed in the Commonwealth, without at any rate some serious consideration on the part of the House. Under the Victorian system there is a civil head of the Defence department, and the Minister has had to communicate with the commandant through his civil head or secretary. There is a regulation which in some way absolutely prohibits any officer of the Defence department from communicating with the Minister except through the permanent civil secretary. The result of that has been, that the head of the Defence department, largely in order to augment the importance of his office, has, by being closely in touch with the Minister, really made himself the actual commandant of the Victorian forces. If such a policy is to be followed in connexion with the Commonwealth defence forces, it will lead only to disaster. If we are to import from England or elsewhere an expert who has a full knowledge of the whole defence affairs of the Commonwealth it is only right that we should follow his instructions and advice, and that he should be able to communicate directly with the Minister in regard to these matters. Clause 12 gives the permanent head of the department responsibility for the general working of that department. That means that although under another clause, persons employed in the naval and military defence forces are excluded from the measure, and are therefore no longer public servants, as public servants, the department is in the hands of a permanent head, that is the civil secretary. That is a proposal we should not decide to act upon, and I suggest that clause 12, sub clause (2), should be so altered that the permanent head shall be responsible only for the general and civil working of the department. There is also the alternative that Queensland and New South Wales have adopted, and which has worked more successfully than the system of Victoria - namely, the appointment of a financial secretary to the general commanding, and allowing the commandant to be absolutely responsible, just as the Commander-in-Chief in England is responsible to the Secretary of State for War, for the administrative acts of his department. We have a responsible officer at the head of military affairs in the person of the General, and in Victoria his advice has not been given directly to the Minister, but has had to be watered through an inefficient channel. This system has taken away from the responsibility of the general officer commanding. I trust that the Minister for Defence, who is not present to-night, will be able to give us some reason, when the clause relating to his department is dealt with, why this provision has been framed as it has been. I hope that some amendment will be made so as to put it into the hands of efficient men to work this great department. As to the general clauses of the Bill, I should just like to say that when the measure gets into committee, I shall have several amendments to move, and that there are other clauses which I shall have to ask the Minister to fully explain. I take my stand upon the general principle that it is our duty to be just to the public service, and that it is also our duty to be just to the taxpayers of the State. I think the public service generally have managed to obtain justice. There is no question about it that they are people who are very well looked after. Although there are a large number of anomalies which have to be remedied, yet public servants generally are so efficiently educated that they are better able to look,

after themselves than are the ordinary members of the public. Therefore, while we should be just to the public service, we should see also that the rights of the taxpayers generally are conserved. As to the abolition of political influence, that is a matter that should certainly be attended to, and as far as the position of the commissioner can be strengthened I will support, amendments in that direction. I want to strengthen the hands of the commissioner as far as possible - to make his position so strong that he will be absolutely free from any political influence. I shall certainly support any amendment in the direction of strengthening the position of that officer, so as to take from the Minister as far as possible any control that ought reasonably to be put into the hands of the commissioner. If we can find a good man for this position, we should see to it that he is made responsible for his actions, and that there is no cavilling in this House, and no attempt by approaching the Minister to influence the commissioner in any of the acts of his office. I am very glad that the Bill has been brought in. I do not see the force of the objections to it that have been made by some honorable members. It strikes me as being a reasonable measure throughout, and I indorse the hope of the Minister that we shall be able to make it a clear and workable one.

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Attorney-General

Mr DEAKIN

. - I am unwilling that this Bill should pass into committee without taking the opportunity of making some comments upon the criticism with which it has been favoured. The Government must acknowledge that it is indebted to the House for the sympathetic character of that criticism, and to a number of honorable members for the very close and careful study which they have evidently given to the measure. If their judgments upon it have differed to some extent, they have not differed more than their interpretations. It is because there appears to be a measure of uncertainty as to what the aim of the Bill is, in regard at all events to the chief persons intrusted with authority under its provisions, that it may perhaps assist the debate in committee if the opportunity is taken now to state generally what is the purpose of the Bill in these particulars. In the first instance, I may be permitted to recall to the recollection of the House that we are dealing not only with what is confessedly a most intricate problem - how to control a public service by means of statutes, and yet be enabled to infuse into it something of the spirit and energy which are obtained in private business affairs. That problem, difficult as it is in the several States, has its complexity multiplied more than sixfold by the circumstances of the Commonwealth. Outside the United States of America, and, perhaps, the great Empire of Russia, no such problem is presented anywhere to the Government of a country as is before us, in regard to the conditions of distance and area under which the public service of this Union requires to operate. The officers of the Customs department of the Commonwealth of Australia collect their dues not only in Hobart, but in Port Darwin and in Perth. The operations of the post-office extend not only throughout our whole domain, but beyond it. Yet we have to provide for them in this measure under circumstances so different, and for a management and control which will require to be to some extent centralized, and yet exercised, it is to be hoped, with a degree of efficiency, over distances of thousands of miles. The consideration of these inherent difficulties - these geographical obstacles - may suggest to honorable members why generally in this measure, and in particular parts of it intentionally, there has been permitted what may be termed a margin, or an opportunity for free play and development. It is felt that in its application to such widely differing requirements it would be disastrous to endeavour either to tie down too closely the persons who are intrusted with authority, or to endeavour to delimit the conditions under which they should exercise it. We must expect contingencies to arise which will be altogether outside the experiences with which we have hitherto been confronted in any single State. We cannot hope in any measure, no matter how much elaborated, to foresee every one of those contingencies and to provide for the precise manner in which each should be dealt with. Consequently, we have intentionally allowed a certain elasticity in this measure - to provide for what may seem, in some places, an overlapping of power, so as to leave the three principal authorities concerned with the public service of the country under a control which we may hope will be sufficient, which can be made sufficient, if it be not already so, but which cannot, without serious risk and danger, be rendered too absolutely precise and too finally definite. In this State of Victoria, as in other States, invaluable work has been done in the way of 'experimental legislation in this regard. We have availed ourselves of some of it in this Bill. But our aim has been throughout to control the vast

departments which belong to us free from the baser influences generally classed under the title of political patronage, whilst at the same time we have endeavoured to achieve that end, and to profit by the experience of recent years, by avoiding the danger of those departments passing beyond proper parliamentary control. How to unite a sufficient supervision of the service with entire freedom from the introduction of personal favoritism and personal influence has been the problem which has been set in the various States, and it has been solved with more or less success on plans of a generally similar character. Those of us who have had experience of the public service as administrators know something of its working : but as a rule we see it through coloured glasses, and are influenced by those who are immediately associated with us. I do not think that the best and most intimate knowledge of the working of the public service system is to be always obtained by that means. It is when one has personal friends - men of tried and known abilities - who have spent the greater part of their lives in the service of the State, who have had experiences which they are willing to convey to those in whom they repose confidence, that one obtains that insight that opportunity of inside inspection of the public service which teaches us far more than we can learn in the Ministerial chair. Nothing would have struck those who have been associated with the public service of Victoria more than the wide-spread dissatisfaction felt, not by the dullards and drudges of the service, but by the most brilliant and able men to be found there. One hears of the number of positive discouragements with which they are surrounded, the dead-weight of routine with which they find themselves environed - and not only of a want of recognition of ability and good service, but also of the actual suppression of merit where it is manifest and should be acknowledged. In the control of a private business the head of that business acts according to the best of his knowledge or, if it pleases him, According to his whim. He has absolute control, of all those beneath him without reference to anybody. He says to a man " Go, and he goeth." There is no inquiry into the circumstances. Why should the man be paid if he is not wanted ? He goes. And if the manager wants another man with certain qualifications, he says, "Come, and he cometh " - that is, if he offers him a sufficient salary. That man stops just so long as he is required. But the circumstances under which men of capacity, mid with a knowledge of human nature and a knowledge of what they require, are able to conduct these great private enterprises are entirely different from those which apply to the undertakings of the State. In the first place, the affairs of the State cannot have the same continuous supervision by one in absolute control as in a private business. Even though the State should be fortunate enough, and it sometimes is, to obtain a capable man as an administrator, and even though the administrator were able to direct his department with the greatest wisdom and ability he would not dare to exercise his powers, because he would probably be challenged on party grounds, and might be suspected of rising his powers for ignoble purposes. If we should get a masterful man, who is also an able man, there is no adequate scope for his talents even as Minister in the public service. We are carrying on great departments, which are in some cases industrial, under conditions which do not obtain, and cannot obtain in any private industrial enterprise in the world. And whilst we are not just at the moment faced with any such problem, we have to remember that we are hedged around with restrictions in obtaining the services of employees, as to the conditions under which we are to employ them, the manner in which we should place one in a position of advantage over another, and the circumstances under which we should dismiss them, or provide for them after they leave our service. We are surrounded by a whole set of requirements absolutely foreign to any private enterprise. The introduction of these new conditions into this problem renders it one of the most difficult with which a modern Government could be confronted. In the valuable criticisms which have been offered in the course of debate - and I am paying no empty compliment when I say that - the Bill has been viewed from many standpoints, and with many different principles in mind, and has consequently been criticised in the most useful fashion. Yet most of the criticisms were obviously more or less consciously weighted, and perhaps diverted, by the opinion, more or less clearly expressed, that it was possible to introduce into the management of the public service the same principles as would apply to a private enterprise. Unless, however, it is recognised how very much more we are hampered by the crucial conditions under which we have to do our work we cannot hope to pass any useful legislation on the subject. For the Bill has to be passed with a recognition at the outset of these difficulties, of the fact that we cannot hope to get the best class of business management and control, but that we have to take something else- something different - and fully realize this when we take it. Political influence, as the honorable member for Corinella very properly remarked, has done comparatively little damage in the way

of bringing about improper appointments in this State, but it has done immense injury, owing to the demoralization which it has been instrumental in introducing into public departments - the spirit of distrust and utter want of confidence. The real or affected belief was that every promotion was made subject to its influence, whereas as a matter of fact in the worst days of political influence it did not affect one in a hundred cases, if it even affected one in a thousand. Still the idea was general, had a most injurious effect, and was found to be most pernicious by Members of Parliament, who were unable to persuade people outside that political influence did not do everything when they were asked to do all that which it was supposed political influence could do. . It was very much in the interests of the service and of members as well as of the public that we had to endeavour to banish the personal element and political patronage. At the same time, these departments are doing work for the public, and the public servants are being paid out of the public Treasury. In every one of these aspects they come under the purview and criticism of the representatives of the public, and under the power of the public as represented in Parliament. Hence Parliament cannot cut itself adrift from the public service, seek to do so how it will. The Acts which have been passed in the various States represent various forms and degrees of the attempt to get rid of political patronage. It seems to some of us that the mistake we fell into at the outset - and I was one of the most ardent advocates of the abolition of political influence - was in confusing political patronage with parliamentary control. As the Germans say, in throwing the dirty water out of the bath, we threw out the baby, too. We have come to realize that parliamentary control cannot be escaped. If you appoint a commissioner, and by a self-denying ordinance shut yourself out from the rule of the service, if you pass a general statute for the management of the service, and launch the commissioner upon an independent career, even then you cannot wash your hands of him, however much you may desire it. His actions will continue to be challenged if they are thought to be unfair or unwise, and you will be compelled to listen to those challenges. If the challenges become continuous, as they did in this State, their number and their gravity will oblige you to reconsider your position, and you will be compelled by the force of public opinion to consult the public judgment and amend your law. You cannot, in the omnipotence of Parliament, place beyond its scope the conduct of any public department by any public body you may create. You cannot shift your responsibility on to the shoulders of others. If you could devise a perfect administration you would still find it open to challenge, and the ears of Parliament must be open to every challenge in order to separate those which are legitimate from those which are illegitimate. We have realized how difficult, how impossible, it is in a State, with the best ability we may possess, to provide in black and white for every special contingency, or for a vigorous and efficient administration. You may lay down the most perfect conditions and adopt the most complete system, but you are absolutely dependent upon the men who are in your service- not only on the man or men you appoint to the head of affairs, but on the men they control, and you are further dependent upon the community of which they form a part. You cannot escape under any statute, no matter how you may shape it. Do what you will you are responsible in the last resort. Choose the best men according to your own judgment, and fill the service with the best men you can get under the conditions, even then you have only provided in part for all you would wish. Much as we, desired to safeguard the service against political influence, we have found that Parliament will never be satisfied to remain in touch with the public departments through a dead statute, but only by its own living control through the Executive Government of the day. There is nothing from which an Executive would be more pleased to escape than the serious responsibilities attaching to the public service, but it can no more escape from them than from the oversight of any other important matter within its charge. You have to bring not only Parliament by statute but also your Executive directly, and personally into contact with the public service, for supervision to some extent and for control. The problem which the honorable member for Corinella was trying to work out on scientific principles was how best to unite our forces, so as to work the departments for the public good, how to control the service by some authority outside the departments possessing sufficient knowledge to criticise their work and having that acquaintance with details which no administration could well possess. Behind and above both of these you must have the administration itself, responsible not only for the state of the public service, but also for any amendments of the statutes that the circumstances may require. Keeping itself in efficiently close touch with the working of all the public departments the Executive must be able, if necessary, to explain and defend their action - if necessary, also to exercise a controlling influence. That is the problem with which the Government were confronted when they drafted the Bill. On broad lines it seemed to them that

the best model they could get was to be found in some of those great enterprises which are conducted by incorporated bodies, which are also confronted with some of the difficulties that are presented by departments under Government control. We looked naturally to those financial institutions which operate through a great variety of branches throughout the Commonwealth, and which, as far as their administration is concerned, are obviously conducted on lines of economy, and on the whole with high efficiency. What we found was that in banks and similar institutions there was a board of directors who exercised a supreme control - a control no doubt more close and intimate than can be exercised by responsible government and without political patronage which one desires to avoid. Still it was a control exercised by elective persons in the interests of those who elected them. We found that these boards of directors exercised their control at a distance by means of two sets of officers. These great institutions had their branches or departments administered by their own servants according to certain principles laid down. We found that they checked the actual working of these branches in their dealings with the public and in their relations with the head office by a corps of inspectors, under a chief inspector, who acted, as the honorable member for South Sydney said tonight, as the eyes and ears of the board. By means of their corps of inspectors, banks and other large mercantile and financial institutions supervise, watch, and criticise the workings of their service, keep it within the limits of economy, and secure a large measure of efficiency. .

Mr Higgins

- The servants of banks and kindred institutions are not shareholders, with votes upon the management of their concerns.

Mr DEAKIN

- I confessed at the beginning that the parallel is only partial ; but the arrangements of these institutions are much nearer to those of the public service than are other private undertakings.

Mr Thomson

- The banks and other institutions have to produce a balance-sheet.

Mr DEAKIN

- And the Commonwealth, too, will produce a balance-sheet.

Mr Thomson

- Ours are spending departments.

Mr DEAKIN

- But the money is contributed by our shareholders, and they will be apt to visit their displeasure upon us if they consider that the expenditure shown on the balance-sheet is too large. We may not return dividends; but there has been such an occurrence, even in Australia, as the reduction of taxation.

Sir William McMillan

-That is what we hope for.

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Mr DEAKIN

- Faith has been described as the substance of tilings hoped for. Honorable members may readily trace in the Bill some such design as that which I have described. While excluding political influence, it was intended to retain for the Executive a portion of that oversight which is exercised by a board of directors. The main body of the public departments may be compared with the main administrative branches of any one of the great commercial undertakings which have direct dealings with the public, while the permanent heads may be taken to represent, in a general way, persons in the position of the managers of the bank. In addition to these officers there is in a bank a body of inspectors who move about in the service and keep the head office acquainted with what is being done in the branches. They have an oversight of the men employed in the branches, and make a study of their capacities and of their promise. The benefits which arise from the work of inspectors are sought to be secured under the Bill by the appointment of a commissioner - who might, perhaps, be more properly described as a chief inspector - and of a number of inspectors who will act under him. Several honorable members have referred to the commissioner as if it were the intention that he should take the place which has been occupied in this and other States by boards of Public Service Commissioners, and to, so to speak, make him the governor and ruler of the service. But, as other honorable members perceived, the intention of the framers of the measure does not go so far as that. It is sought to keep the permanent heads of departments responsible for the working of

their departments as bodies dealing with the public, whether in the collection of Customs or in the transaction of the work of a great industrial enterprise, such as the Post and Telegraph department. Under the permanent heads there will be their deputies and chief officers in each State, and under these, other officers responsible in their turn, the responsibility for the working and efficiency of the department stretching like a chain from the permanent head down to the humblest employe in the service.

Sir William McMillan

- The honorable and learned member means responsibility for the current working of the department.

Mr DEAKIN

- Yes. Above the permanent heads there will be the commissioner and his inspectors. They are the watchdogs of the public, of Parliament, and of the Minister. If we trusted wholly to the permanent heads, we might have the favoritism which we seek to avoid in regard to the Ministerial heads of departments ; because permanent heads will have their caprices, their favorites, their appreciations, and even their relations. At all events they would be suspected and charged, with or without cause, with not dealing fairly with those who were passed over by them, as is invariably the case now. In the management of a private concern there is no question of dealing fairly with any employee so far as the general manager of the business is concerned. He does as he thinks fit in the interests of his enterprise, and there is no one to question his acts. But the administration of the public service is conducted upon entirely different lines. In the administration of the public service an endeavour is made to introduce the principle of justice between man and man, so that no one shall have another passed over him by the permanent head or general manager unless the permanent head can prove to critics that the man he promotes is the best man within the circle of competitors, and is entitled to be promoted to the particular post in which he has been placed. The inspectors provided for in the Bill are designed to serve as the watch dogs of the public, of Parliament, and of the Minister, to prevent the administration of the departments from falling into the hands of the permanent heads, and the exercise of favoritism by them ; but they will be also expected to prevent the stagnation which inevitably tends to prevail in all public departments. The permanent head of a department is a man in receipt of a fixed salary. His salary does not rise in proportion to the economies which he makes, or to the earnings of his department during the year, or even in proportion to the efficiency and thoroughness which he displays in studying the interests committed to his charge. Therefore, the great motives which influence business managers are wanting in his case. Right through the service the possibility of personal advancement, as it is understood in business enterprise, is greatly wanting, and where we have had ironclad statutes imposed upon the service, shutting out merit and placing seniority above every other consideration, it has been almost entirely absent. To prevent this stagnation so far as we can, and to introduce business life into the departments, one of the duties of the inspectors will be to go about among the departments to prevent the overmanning which has been referred to to-night by the honorable member for Gippsland, as the almost universal characteristic, of the management of the branches and sub-branches of the public service. Those who have experience of these matters know that every word which the honorable member said upon that point and upon the other points with which he dealt was true. The object of appointing these inspectors is to counteract, so far as possible, the tendency to overman the service. It will be their duty to recommend the rearrangement and perhaps the reduction of offices, to point out where economies can be effected, to criticise the working of one branch of a department when measured by another branch, and to see that the quickest pace which can be kept in any branch is kept by the whole of the department. I read in the Aye this morning a reference to a new profession - it is American, of course - the profession of the "business doctor." He is therein described as a man who is paid a high fee to go through the business premises and examine the operations of great employers of labour. It is his duty to see how everything is done, how every transaction is carried on from the beginning to the end, and to prescribe, as a physician prescribes for a patient, the changes which his great business knowledge leads him to suggest. He shows where savings can be effected, where additional gains can be made, and where alterations will be for the better ; and, having prescribed, he is paid his fee, and goes away. The inspectors provided for in the Bill are intended to be the business doctors of the public service, to move about among the branches of the service, and to make suggestions whereby it may be more economically administered and made more profitable to the community.

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Mr Higgins

- They will be like the church debt-raisers referred to in Harold Frederic's novel.

Mr DEAKIN

- The honorable and learned member is speaking of his " Illumination." The inspectors are as far as possible to put new life into the public service. Neither the commissioner nor the inspectors are to be the persons who, to use an Americanism, will " run " the service. They are rather to be outside critics of the departments, who will make them toe the mark] and will see, too, that fair play is done to the servants of the State. They are to be appointed to protect the service against the permanent heads of the departments, and, if any permanent head should prove likely to be malleable by political fingers, it will be their duty to protect him against improper political influence. So that they may carry out these duties efficiently, the commissioner and inspectors under him are protected by a seven years¹ tenure of office.

An Honorable Member. - That is too long.

Mr DEAKIN

- I do not think it is a whit too long. During that period they will be secure against attack from any side whatever. I do not receive the criticism that the period is too long, nor do I. receive any criticism of any provision in the Bill, with impatience. It has been recognised on both sides of the Chamber, and by no one more' than by the honorable member for Wentworth, who is acting at present in the capacity of leader of the Opposition, that this is not a party scheme, but a measure to which we can all address ourselves with the knowledge we possess, without a single thought of our party relations and positions in this Chamber, 'so that the country may be given the best possible service.

Sir William McMillan

- None of these machinery Bills can be regarded as party measures.

Mr DEAKIN

- That is precisely my opinion. There is a good deal to be said in committee - and my speech is not designed to deprecate discussion - about the relations of the three powers provided for in the Bill ; but, if honorable members have the broad rough outline of what is intended, as I have given it, they will be better able to interpret the provisions of the measure. I venture to say that the powers vested in the commissioner are intended to be far larger, ' and are, as a matter of fact, far larger, than ' many honorable members have yet realized, because they turn upon the comparatively, short phrase in clause 5 which defines his position. The second sentence in that clause reads as follows : -

Such commissioner shall submit for the consideration of the Governor-General reports as to any matters requiring to be dealt with b)' the Governor-General under this Act.

Mr Higgins

- That means if required by the Governor-General.

Mr DEAKIN

- I take it that it means that the Governor-General shall do nothing under the Bill without having the report of the commissioner before him.

Sir William McMillan

- The provision in the clause is mandatory upon the commissioner.

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Mr DEAKIN

- I take it to be so. The Governor-General has certain options to which I shall allude - a certain amount of freedom as to the action he may take after he has received these reports ; but the intention is that the commissioner shall be,, not the man who makes appointments, and administers the departments, but the man who is responsible for seeing that appointments are fairly and properly made, and that the departments are fairly and properly administered. The object is to have a man who will be absolutely independent of the permanent heads, and be able to criticise them from the stand-point of outside knowledge in everything they do, and to advise Ministers in regard to the proposals to be submitted to them by permanent heads. I happened to be a. Minister for a short time under the old political system in Victoria, and know that under that system the Minister was absolutely at the mercy of his permanent head. All the advice which he received came through that channel, and was coloured by the opinions of the man with whom he was associated. When a department was well administered, it generally meant that there was a good permanent head who could be trusted to tell the Minister' everything, and when a

department was not well administered, the fault generally lay as much with the permanent head as with the Minister. The permanent head is in touch with the whole of his department : his opinion upon departmental matters is extremely valuable, and he should be a well-paid, trusted, and efficient man, who has been chosen with great care. But we must realize the temptations to which a permanent head is exposed, and remember that he will naturally tend to get into a groove, of which he will be scarcely conscious himself, since all the ordinary stimuli obtaining in private enterprise are wanting in his case. All that we have to rely upon is his sense of loyalty, and in this country the loyalty of heads of departments has been great. But in the commissioner we shall have a man who knows all the departments, and can contrast them, and he will be able to furnish valuable criticisms and opinions as to whether there has been undue extravagance, or undue multiplication of hands, or whether the service given to the public is such as they are entitled to receive from the department. I take it that the commissioner, who will have his inspectors in close touch with every department, will be able, upon their reports and recommendations, to introduce a common system of administration, to grade the public service, to take care - in answer to the inquiry of the honorable member for Tasmania, Mr. O'Malley - that no two men doing the same duty, even if their offices are as far apart as Hobart is from Port Darwin, shall receive different salaries. Of course, there must be a reservation which the honorable member would at once agree to, that an officer who foregoes the delights of Hobart to" live in Port Darwin shall be entitled to some extra consideration for the drawbacks of the tropical climate. But such considerations apart: all persons doing the same work and subject to the same conditions will receive the same pay throughout the Commonwealth, without regard to the State in which their offices are located.

Mr O'Malley

- How about the West Coast, where it rains nine months in the year?

Mr DEAKIN

- All I can say is that if the excess could be shifted a little more to the east it would be welcome.

Mr O'Malley

- Would the commissioner have power-

Mr DEAKIN

- To alter the rainfall? No - unfortunately that is not included in his list of duties. The power of the commissioner is only outlined. I confess it has not been sought to tie him down to a set of hard and fast requirements. That would more impede than assist him, and lead to complications which we cannot foresee and against which we cannot provide. We have given the commissioner a high position, with great responsibility and a splendid tenure. That responsibility includes the reporting upon everything done and giving his opinion thereon.

Mr Higgins

- By regulation under clause 5 is it possible for the Governor in Council to limit or dock the powers of the commissioner ?

Mr DEAKIN

- I think not ; but I was just about to deal with the powers of the Governor-General. The Governor-General has a power over both the permanent head and the commissioner, and of course he is independent of both, just as permanent heads and the commissioner are made, as far as they can be under the circumstances, independent of the Governor-General. The permanent head who does his duty - who manages his department and keeps it in an efficient condition - registers by nomination to the Minister, his requirements. So far as his nomination is followed he is responsible in the fullest sense, and must be held to that responsibility if we are to have an efficient administration. So far as his nominations are ignored, in those particulars he is free from responsibility, which falls on the head of the Government of the day or on the commissioner. The Commissioner on his side is in precisely the same position. He is entirely independent of the permanent head and entirely independent of the Government. He is in a secure position, and has a staff of men of great knowledge and trust - men picked by himself, who keep him in touch with the service all over the continent. With all that knowledge he makes his recommendations, and where those recommendations are accepted his responsibility follows, but where his recommendations are ignored, the responsibility falls on other shoulders.

Sir William McMillan

- Parliament knows all that takes place.

Mr DEAKIN

- I am coming to that. The Governor-General has in two or three respects an important responsibility in this measure - if he has great powers they carry great responsibilities. Under this Bill promotions in the clerical division are made slowly, regularly, and in very short stages from subdivision to subdivision. In clause 21 there is the power of expediting promotions. The Governor-General can under special circumstances hasten this ordinarily slow process by leaping over classes if necessary, and in this respect, as in every other place where he can exercise any power, there is a triple guarantee. There is the nomination of the permanent head, the approval of the Minister, and the recommendation of the commissioner. If these three are agreed, then it is possible for the promotion to take place. If these three do not agree, the Governor-General has not the special power which he has in relation to two other clauses to which I am about to call attention. He can only exercise the power in clause 21 with the consent of the permanent head and the commissioner, and they with his consent, so that we have a triple check on any possible abuse of power ; and then we have in this case, as in the other two clauses to which I shall call attention, the absolute safeguard that the whole of the circumstances of the case in which the ordinary course has been departed from - the whole of the papers relating to it - are laid before Parliament. Parliament has the opportunity with all this material before it to see the circumstances under which the Minister, commissioner, and permanent head have agreed that the regular routine in the service for advancement shall be departed from, and some favoured man caused to leap over the heads of his fellows. It can be done only under the triple guarantee and in the full sight and with the full knowledge and tacit concurrence of Parliament.

Mr Ewing

- Will the honorable and learned member explain what happens when the three do not agree?

Mr DEAKIN

- In that case the recommendation cannot be carried into effect. .

Mr Ewing

- But what happens?

Mr. DEAKIN. - Nothing happens.

Mr Ewing

- Something ought to happen.

Mr DEAKIN

- I do not know that something ought to happen. Until honorable members are prepared to attach to this clause, as some honorable members might wish to do, the more extensive power contained in other clauses to which I shall allude, the ordinary routine has to be observed. The individual thought worthy of special promotion by only two authorities will remain where he is.

Mr Higgins

- What is the difference between a recommendation by the permanent head and a recommendation by the commissioner ?

Mr DEAKIN

- If the honorable and learned member will leave that to committee stage I will explain, and perhaps may explain it better than I can defend it, though its explanation should be its defence. In regard to clause 37 honorable members will find again that when an appointment is made without an examination, the same triple precautions are taken. But here a special negative authority is vested in the Governor-General. When the permanent head has reported, and the commissioner has nominated, the Governor-General agrees that some person may be appointed to the service without examination and without probation. I am not taking honorable members through the whole of the clauses in which there are other precautions to which it is not necessary at the present time to allude ; but where the Governor-General does not see reason to agree with the permanent head or the commissioner, and he has reason to believe that the persons whom they nominated, though they may be fit for the post, are not so fit as some other person, and that other person is outside the service, and is more competent and more deserving of being admitted without examination and without probation, then the Governor in Council can reject the nomination of the two, and continues to reject their nominations until he is satisfied that the person at last selected by them is one who in every way suits the requirements of the situation.

Mr McCay

- Has he that power under clause 21.

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Mr DEAKIN

- Not under clause 21 - then it is simply a nonpossumus - nothing is done. Then again in this case every paper relating to it has to be laid before Parliament, and if an appointment is made without examination and probation, it must be made with the knowledge and tacit consent of Parliament. Finally, the third case is that of clause 38, an important clause which relates to promotion. Before an officer is promoted from a lower office to a higher, in the special or clerical division, there is again the submission of the names to the Governor-General, nominated by the permanent head, and recommended by the commissioner. But this clause differs from clause 21 in the same way as the last clause differs, because if the Governor-General does not approve, he rejects the nomination, even though it be joint, until he obtains a nomination he thinks satisfactory; and not to repeat at too great a length, this is again only on condition that the papers are laid before Parliament, and the tacit consent if not the express consent of Parliament obtained to the action. These three clauses are the key clauses of the Bill in regard to the powers of the Governor-General. They represent the greatest powers proposed to be intrusted to him under the Bill, although he touches the service at a variety of points. In those three particular cases he is given large negating power. His relation to the other two authorities can be best understood by an examination of those three clauses. They provide in each case for a concurrence, and the triple sanction for departing from the ordinary method, and in each and every case, without exception, they show the intention that Parliament is to be challenged, and that it can only be with the approval of Parliament that action is taken. Every action taken by the Minister comes before Parliament, and he accepts the responsibility of his acts and challenges the approval of the public. Short as our experience is in the House of Representatives, I think Ministers have already had an indication that it is necessary to be extremely cautious in dealing with persons either in the public service or just entering the public service. If only in the matter of the expense of time in debate, it becomes a serious thing for Ministers to consider whether it is worth while to make a change in the nomination submitted to them - under the penalty of loss of time, and sometimes loss of friends, which an appointment, promotion, or nomination of this kind might involve. " For myself, I think that the powers of the Governor-General in these clauses are hedged round with every possible precaution, if not, indeed, overlaid with precaution. A Governor - General, under these circumstances, may be relied upon never to exercise those powers except in some case so clear, so necessary, and so desirable that the opinion of the whole of the country can be challenged on it, and an assured verdict by Parliament can be warranted. Only under such circumstances would a Minister venture to differ from those who have the greatest knowledge in regard to this particular matter. They may require the check of his Ministerial control if, for instance, by any possibility though they are certain to be men of high standing, great capacity, and high character, they should fall into the groove of ready agreement with each other. If we find the permanent head and the commissioner ready to merely re-echo each other in order to avoid friction - if instead of one acting on the other in a perfectly open and frank manner, as checks on each other, the permanent head submits to be ruled by the mere will of the commissioner, or the commissioner is browbeaten by the permanent head, and they persist in making routine recommendations, or if they should chance to fall into the old jog trot of agreement, one giving way on one appointment, and the other on the other - if such a state of things can be conceived, which I hope can be scarcely possible, or if there is any tendency to neglect the exercise of that energy in administration which is required - then I believe the influence of the Governor-General and of Parliament, through the Governor-General, upon those two officers of the public service, will be a healthy influence. It will be impossible to use it for political patronage, yet will preserve that parliamentary control and touch which is absolutely necessary for the public confidence as well as for efficient administration of the departments. One great evil of the old political interference was that it was surreptitious. It was behind doors, it was unknown, and it was guessed at and magnified out of all proportion. But whatever political control there is under this Bill is open and above board, before the public and Parliament. The object is to provide under this measure that Parliament, if it suspects anything, can, in the exercise of its inherent power, at any time call the Minister or the public servant to account and require an explanation of their action in any regard.

Mr A McLEAN

- The influence that members exercise with Ministers will not be above board any more than it was before.

Mr DEAKIN

- It cannot be effectual. If a member comes to a Minister to ask the Minister to exercise influence, and if the Minister be willing to do so, that influence has to be exercised in a public fashion.

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Mr HUME COOK

- Members may go to the permanent head.

Mr DEAKIN

- But what has the permanent head to gain or fear from them ? If he or any one departs from the routine of the service he has to give reasons and accept responsibility. They would not go to ask the permanent head to do what he would do without their going, but that they would go to ask for something that would not be done if they had not interfered.

Mr Isaacs

- To advance a man out of the ordinary course?

Mr DEAKIN

- To advance a man out of the ordinary course or to take some unusual step or grant a personal favour. The permanent head could do that only in the light of day. The exercise of political influence must be in the broadest light of day, and there can be nothing surreptitious or underground.

Mr Higgins

- Would the Attorney-General make it penal for an honorable member to speak to the commissioner?

Mr DEAKIN

- I have not endeavoured to answer all the many points raised. I have noted many of them, and will be prepared to deal with them in committee, and some of them appear to suggest improvements. But I trust honorable members will not ignore two or three somewhat novel features of the Bill. One of the first of these is the new place we have given to examinations. If honorable members read the terms in which reference is made to examinations in this Bill, they will find that the old literary examination has entirely disappeared. The examination for the general division for instance - that is, the class for manual labour - is to be of the most rudimentary character. There is to be no scholastic eminence required for that. For the other branches the entrance examination on the literary side will be of a comparatively simple character. We are not to measure men simply by their capacity for wielding the pen or for their powers of memory. The examination that is imposed by this Bill as between class and class is also of a kind which I think is entirely new to Australia, although it is not new to the mother country in some departments. It is an examination to which any officer who desires to attain to a higher class has to submit himself, and it concerns the duties he will have to discharge in the higher class. If the class to which he desires to attain is professional, the examination relates to the higher professional duties which may have to be discharged by him ; if clerical, to such matters as the writing of a precis - the boiling down of long diffuse, widely wandering statements into a few short curt sentences, in order that the head of his department or his Minister may be saved the trouble of reading through the whole document. Or the examination may concern the other work which the officer may be called upon to do when he enters the new class. Consequently, these examinations place no bar before any man who is fitted for the work he desires to do. It is the practical ability of the man that is tested by the examination. They are to be practical examinations, and they banish what may be termed - adopting a phrase of the honorable member for South Australia, Mr. Batchelor - the Chinese examination. The archaic and antiquated literary examination is banished altogether, as is also the old civil service examination, which concerned itself with subjects that no civil servant was ever likely to require in the ordinary performance of his duties. There is to be only a test of a man's capacity for doing the work he will be called upon to do. We have endeavoured to give an opportunity to energy and ability to prove themselves, and to rise in the service for the benefit of the service, and also for the benefit of the civil servant himself.

Mr Crouch

- Why, then, is it proposed to accept the University examination ?

Mr DEAKIN

- Because for the higher branches of the service the possession of a degree may be taken as some proof of fitness. It is something to be reckoned in favour of the candidate.

Mr Isaacs

- In positions requiring knowledge of law, for instance.

Mr DEAKIN

- Exactly so. Then honorable members will notice that in this Bill we have tried to do away altogether with the dead-weight of the seniority provision, which for so long has hung round the necks of the public service.

Mr McCay

- Will that provision as to examinations apply to State officers taken over at the inauguration of the Commonwealth?

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Mr DEAKIN

- That comes under their immunities and rights under the Constitution. I should say, speaking off-hand, that the passing of an examination would be an element which the Minister would be justified in requiring when making promotions of those who had been taken over. Nor would it be a hardship to expect them to pass the examination, seeing that it relates to the duties they would have to discharge. The other matter provided for in this Bill is one which will strike a Victorian, at all events, as not a new departure in legislation, so far as that State is concerned, although there it has hardly come into operation yet. The principle of placing seniority in the second place, and very much in the second place, and of promoting ability, obtains throughout this Bill. We lay it down that advancement is to depend upon efficiency and aptitude, and not upon length of service - the time a man has sat upon an office stool, the time he has driven a quill, the number of pages he has filled with writing, it is his efficiency in the discharge of his duties that is to lead to his promotion. That will be a new departure at all events in Victoria, and strikes the keynote of what is intended in the administration of the Commonwealth departments.

Mr Thomson

- Will the honorable and learned gentleman say where that provision is to be found in this Bill?

Mr DEAKIN

- If the honorable member turns to clause 36 he will find the following provision -

Whenever a vacancy occurs in any office, and it is expedient to fill such vacancy by the promotion of an officer, the Governor-General may subject to the provision of this Act - Appoint to fill such vacancy an officer of the department in which such vacancy occurs regard being had to the relative efficiency, or in the event of an equality of efficiency of two or more officers to the relative seniority, of the officers of such department, if it appears that such appointment would result in the work of such office being more efficiently performed than by selecting an Officer from any other department. Efficiency is defined at the close of that clause to mean - Special qualifications and aptitude for the discharge of the duties of the office to be filled, together with merit and good and diligent conduct. Those are the new standards.

Mr Isaacs

- That is limited by the classification of the officer.

Mr DEAKIN

- Yes, where the vacancies have to be filled by promotion. What is to be determined is qualification and efficiency, limited to a certain extent by the classification. But what is understood is that the classification is to be elastic, so that the area of choice will be continually enlarged.

Mr A McLEAN

- They will pass more rapidly from class to class.

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Mr DEAKIN

- Much more rapidly than was possible under the old provisions. Then in connexion with the same matter, we shall have to consider the point raised by the honorable member for South Australia, Mr. Poynton, as to the making increments regularly in the lower branches of the service. While quite in accord and sympathy with the honorable member's proposal for the advancement of those on behalf of whom he has spoken, and while thinking that there should be a living wage, I hope we shall be able to frame a clause - perhaps partly on the model of the Tasmanian provision, which has been suggested to me by the honorable member for Tasmania, Mr. Piesse, and with which I will deal when we come to the subject in committee - so as to make the giving of the increments dependent on efficiency and aptitude to a

considerable degree. What we want in the public service is to provide, by any device we can secure, some of the stimulus that pertains to private enterprise, but which unfortunately is inevitably lost under the State; and any means, no matter how small, direct or indirect, by which we can encourage officer to compete with brother officer on fair and honest terms, so as to prove greater aptitude, so much better will it be for the public service and for the Commonwealth. We have left this increment matter as it is, not because there will be any tardiness in granting increments ; the permanent heads of departments are generally willing to do a kindly thing to those who are under them, and they need not fear in that respect. But I think we are right to keep the payment of increments optional, as we have proposed to do by means of this Bill, in order that we may retain every possible stimulus to energy, industry, and attention to the requirements of the service. Now, I have to thank the House for its attention, and to regret that I should have detained it so long. I also regret that my colleague, the Minister for Home Affairs, is not here to make some general reply upon the whole debate. He has asked me to reply on his behalf and on behalf of the Government. In response to his request, it has been my duty to undertake the task as well as I could, and to endeavour to enable honorable members to grasp the idea the Government had in their minds in the drafting of this Bill. I confess that the idea is not carried out always consistently, because as we worked it out from shape to shape certain difficulties brought themselves under notice, and where they were met in one place, they arose again in another. The Bill had to be put before the House at an early stage in order that it might be discussed, and consequently we were not able to keep it in our hands for the purpose of improving its drafting so long as I should have liked to do. The drafting of the Bill, though it has been the subject of compliments generally, has been severely reflected upon in some quarters, and I think it only right to say that it is the work of the parliamentary draftsman of Victoria, a man of great experience in such work ; as a tribute to his great capacity, his drafting has been scarcely touched at all. But if honorable members will only grasp the objects the Government have in view, and the manner in which they have endeavoured to allow a certain free play throughout, although there may be, as I have admitted, some overlapping, they will probably agree that we have in this measure, especially as it will be amended and improved in committee, a charter for the public service and for the public of this Commonwealth with which we shall have reason to feel satisfaction. The working of the measure must depend immensely on the appointments made, upon the commissioner and his inspectors, and upon the permanent heads and their followers. My own experience of the public service of Australia has been that we have never lacked men of capacity and honour. What we have lacked has been a system that will call out the capacity and encourage the honorable ambitions of the members of the services of the States. We think we have provided a measure that will have that effect upon the Commonwealth public service. We have endeavoured to make the Bill elastic, and although, as I have said, there is some indefiniteness, this will admit of give and take on the part of the authorities who will have the administration of the measure. If one out of the three proves to be weak, the other two can supplement the weakness. If two prove to be weak, the one strong body may be a safeguard ; and whether there be a strong administration or a strong permanent head, or, better still, a strong commissioner, we shall be able by means of this Bill to make the Commonwealth service efficient. That is the aim of the measure, and in that light I submit it to the House.

Question resolved in the affirmative. Bill read a second time, and committed pro forma.

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22:14:00

House adjourned at 10.14 p.m.