

It was found that delegated legislation is inevitable under the present Parliamentary system and, further, it was stated it would be futile for Parliament to work out the details of legislative changes. The Committee said that such details—

“ may closely affect the rights and property of the subject and even personal liberty. . . . There is at present no effective machinery for Parliamentary control over the many regulations that are made every year by Ministers in pursuance of their statutory powers, and the consequence is that much of the most important legislation is not really considered by Parliament.”

Nevertheless, the Committee absolved Ministers from the desire of obtaining by Order in Council arbitrary power for themselves and their Departments, and it considered that, in general, substantial justice was done.

From a perusal of the report of the Committee, the decision is arrived at that it is easy to criticize the growth of delegated legislative authority, not only at Home, but in this country. The critics, however, are confounded when asked to devise a remedy for the situation they condemn.

The increased legislation by regulation necessarily implies increased responsibility on administrative officials, whether in the Public Service or under quasi-Public Service control.

The Public Service can find some satisfaction in the memorandum which was tendered in evidence by the representative of one of the greatest industries in Great Britain to the Committee wherein it was stated with that fine economy of phrase to which the public official has become accustomed, that

“ on the whole, departmental control through regulations has worked as well as could be expected, and that, on the other hand, where Parliament has been specific, harm has sometimes been done by rigidity.”

The more social and industrial legislation increases, the greater will be the growth of administrative responsibility with consequent reliance on the Public Service to execute the legislative will. Since uniformity of enforcement of regulations is required of the Public Service, it asks that Parliament's desires in that detailed form be framed in such clear and easily understood language that will afford ready guidance and direction for the officers of that Service, whose duty it is to execute faithfully the intentions of the Legislature, which is the supreme authority in the community and the instrument by which that community's will is translated into administrative action.

PUBLIC SERVICE SUPERANNUATION FUND.

In my last report I referred to the unsatisfactory state of the Public Service Superannuation Fund, which in the near future will not be able to meet its obligations unless some improvement is effected. The other State Superannuation Funds (*i.e.*, Teachers' and Railways) are also insolvent and, as pointed out by the National Expenditure Commission, certain drastic alterations involving sacrifice alike by the Government and the Service are necessary if the stability of the funds is to be secured. A sound pension scheme is essential in any well-ordered service, and a Bill was introduced during the 1932 session of Parliament in which provision was made to give effect to the recommendations of the National Expenditure Commission. It, however, was not proceeded with, partly because contributors and annuitants were somewhat reluctant to agree to the proposals. It was arranged that representatives of the various Service organizations should meet and discuss the matter, but no constructive proposals of any value were adopted by the Conference. As an alternative to the proposals in the Bill, the Government is now considering the following :—

- (1) The Government to accept direct responsibility for payment of all retiring-allowances due :
- (2) The existing funds, which amount in the total to £5,144,000, to be held intact as a reserve fund, the interest thereon being applied towards meeting retiring-allowances of each class. The accumulated funds to be held in trust by the Public Trustee, but not to be further increased :