

1904.

THE PARLIAMENT OF THE COMMONWEALTH.

No. 117.

VOTES AND PROCEEDINGS

OF THE

HOUSE OF REPRESENTATIVES.

WEDNESDAY, 7TH DECEMBER, 1904.

1. The House met pursuant to adjournment.—Mr. Speaker took the Chair, and read Prayers.
2. PETITION.—Mr. Kelly presented a Petition from G. S. Blair and W. Geo. Bradley, styling themselves President and Secretary respectively of a Conference of Master Bakers of Australia, held in Sydney, praying, in accordance with a resolution of the said Conference, that the House will preserve the great principle of freedom of contract and will, therefore, before passing the Commonwealth Conciliation and Arbitration Bill, cause fuller inquiry, by Royal Commission or otherwise, to be made as to the effects such a measure will have upon the industrial life of the people of the Commonwealth. Petition received.
3. PAPER.—Mr. Reid presented, pursuant to the direction of an Act of Parliament—
Audit Act 1901.—Transfers of Amounts approved by His Excellency the Governor-General in Council—Financial year 1903-4 (dated 6th December, 1904).
4. COMMONWEALTH CONCILIATION AND ARBITRATION BILL—SENATE'S AMENDMENTS.—The Order of the Day having been read for the further consideration in Committee of the whole House of the amendments made by the Senate in this Bill—Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole.
Mr. Speaker resumed the Chair; Mr. Salmon reported that he had been requested to ask the opinion of Mr. Speaker on a point of order raised in Committee, and that he was directed to ask, That the Committee may have leave to sit again.
Resolved—That the House will, so soon as Mr. Speaker has given his opinion on the question, again resolve itself into the said Committee.
5. POINT OF ORDER.—AMENDMENT ON SENATE'S AMENDMENT.—Mr. Salmon then stated that in the Committee he, as Chairman, had ruled that a proposed amendment on an amendment of the Senate was out of order, as it not merely amended the amendment of the Senate but, in addition, amended the clause, and therefore travelled beyond the scope of the amendment made by the Senate.
And after other honorable Members had addressed themselves to the question—
Mr. Speaker ruled that the amendment was not out of order, because although, by defining the meaning of the words "political purposes" in the amendment made by the Senate, it might also be held to define the meaning thereof in the earlier part of the clause, the two matters amended were inseparably related.

7th December, 1904.

6. COMMONWEALTH CONCILIATION AND ARBITRATION BILL—SENATE'S AMENDMENTS.—Mr. Speaker left the Chair, and the House again resolved itself into the Committee of the Whole on the amendments made by the Senate in this Bill.

Mr. Speaker resumed the Chair; Mr. Salmon reported that the Committee had dealt with the amendments as follows:—

SCHEDULE OF THE AMENDMENTS OF THE SENATE TO WHICH THE COMMITTEE OF THE WHOLE HAS DISAGREED.

No. 1. Page 3, clause 4, lines 2-4, leave out "but it does not include a dispute relating to employment in any agricultural, viticultural, horticultural, or dairying pursuit"

No. 2. Page 3, clause 4, lines 19-21, leave out "excepting only persons engaged in domestic service, and persons engaged in agricultural, viticultural, horticultural, or dairying pursuits."

No. 3. Page 12, clause 40, lines 6-9, leave out—

"And provided further that no such preference shall be directed to be given unless the application for such preference is in the opinion of the Court approved by a majority of those affected by the award who have interests in common with the applicants."

SCHEDULE OF THE AMENDMENT OF THE SENATE TO WHICH THE COMMITTEE OF THE WHOLE HAS AGREED WITH AN AMENDMENT.

No. 4. Page 15, clause 55, after line 32, insert—

"And further provided that no organization shall be entitled to appear before the Court to oppose an application for preference by any organization, so long as its rules or other binding decisions permit the application of its funds to political purposes, or require its members to do anything of a political character."

Amendment No. 4 agreed to with the addition of the following words, viz.:—

"Political purposes" in this section does not include obtaining or maintaining provisions applying to all persons in any particular industry, without discrimination as between those who are and those who are not members of an organization, with respect to the regulation of the following matters:—

- (i.) Preservation of life and limb.
- (ii.) Compensation for injuries or death.
- (iii.) Sanitation.
- (iv.) The sex and age of employes.
- (v.) The hours of labour.
- (vi.) The remuneration of labour.
- (vii.) Protection of salaries and wages.
- (viii.) Other conditions similarly affecting employment.

Mr. Reid moved, That the Report be now adopted and that Mr. McLean, Mr. McCay, and the Mover be appointed a Committee to draw up Reasons for the House of Representatives disagreeing to Amendments Nos. 1, 2, and 3.

Debate ensued.

Question—put.

The House divided—

Ayes, 44.

Noes, 7.

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| Mr. Batchelor, | Mr. Mauger, |
| Sir Langdon | Mr. McCay, |
| Bonython, | Mr. McColl, |
| Mr. Carpenter, | Mr. McLean, |
| Mr. Chanter, | Mr. McWilliams, |
| Mr. Conroy, | Mr. O'Malley, |
| Mr. Joseph Cook, | Mr. Phillips, |
| Mr. R. Edwards, | Mr. Poynton, |
| Mr. Ewing, | Mr. Reid, |
| Mr. Fisher, | Mr. Ronald, |
| Sir John Forrest, | Mr. Salmon, |
| Mr. Fuller, | Mr. Skene, |
| Mr. Gibb, | Mr. Sydney Smith, |
| Mr. Glynn, | Mr. David Thomson, |
| Mr. Isaacs, | Mr. Dugald Thomson, |
| Mr. Johnson, | Mr. Tudor, |
| Mr. Kelly, | Mr. Watson, |
| Mr. Kennedy, | Mr. Willis, |
| Mr. Knox, | Mr. Wilson. |
| Mr. Lee, | |
| Mr. Liddell, | |
| Mr. Lonsdale, | <i>Tellers.</i> |
| Sir William Lyne, | Mr. Groom, |
| Mr. Maloney, | Mr. Wilks. |

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| Mr. Brown, | |
| Mr. Frazer, | |
| Mr. Hutchison, | <i>Tellers.</i> |
| Mr. Watkins, | Mr. McDonald, |
| Mr. Webster. | Mr. Spence. |

And so it was resolved in the affirmative.

7th December, 1904.

Mr. Reid, on behalf of the Committee, brought up such Reasons, which were read, and are as follow :—

Reasons of the House of Representatives for Disagreeing to certain Amendments of the Senate.

As to Amendment No. 1—

Because—

- (1) Rules which could be applied by an Arbitration Court in the case of organized trades working under similar conditions, though in different parts of the Commonwealth, could not be applied to rural industries whose conditions vary widely not only in the same branches of rural industry, but also in different localities throughout the Commonwealth.
- (2) The likelihood of industrial disputes extending beyond the limits of any one State in the case of such industries is remote.

As to Amendment No. 2—

Because—

- (1) Rules which could be applied by an Arbitration Court in the case of organized trades working under similar conditions, though in different parts of the Commonwealth, could not be reasonably applied to the conditions of domestic service.
- (2) The likelihood of industrial disputes extending beyond the limits of any one State in the case of domestic service can scarcely be seriously regarded.

As to Amendment No. 3—

Because questions of preference in employment are of such vital importance to the people of the Commonwealth that they demand some such safeguard as that contained in the provision removed from the Bill.

Mr. Reid moved, That the Committee's Reasons be adopted.

Debate ensued.

And the Reasons, by request, being put separately—

Question—That the Reasons in regard to Amendment No. 1 be adopted—put.

The House divided—

Ayes, 34.

Noes, 8.

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| Sir Langdon | Mr. McCay, |
| Bonython, | Mr. McColl, |
| Mr. Chanter, | Mr. McLean, |
| Mr. Conroy, | Mr. McWilliams, |
| Mr. Joseph Cook, | Mr. Phillips, |
| Mr. Ewing, | Mr. Reid, |
| Sir John Forrest, | Mr. Robinson, |
| Mr. Gibb, | Mr. Ronald, |
| Mr. Glynn, | Mr. Skene, |
| Mr. Groom, | Mr. Sydney Smith, |
| Mr. Hutchison, | Mr. David Thomson, |
| Mr. Isaacs, | Mr. Dugald Thomson, |
| Mr. Johnson, | Mr. Willis, |
| Mr. Kelly, | Mr. Wilson. |
| Mr. Kennedy, | |
| Mr. Knox, | |
| Mr. Lee, | <i>Tellers.</i> |
| Mr. Liddell, | Mr. Fuller, |
| Mr. Lonsdale, | Mr. Wilks. |

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| Mr. Batchelor, | Mr. Webster. |
| Mr. Brown, | |
| Mr. Frazer, | <i>Tellers.</i> |
| Mr. Tudor, | Mr. McDonald, |
| Mr. Watkins, | Mr. Spence. |

And so it was resolved in the affirmative.

And then the remaining Reasons were adopted.

7. MESSAGE FROM THE SENATE.—DEFENCE BILL.—Mr. Speaker announced the receipt of the following Message from the Senate :—

MR. SPEAKER,

Message No. 22.

The Senate has agreed to the Bill, returned herewith, intituled " *A Bill for an Act to amend the ' Defence Act 1903 '* " with the amendments indicated in the annexed Schedule, in which amendments the Senate desires the concurrence of the House of Representatives.

The Senate,
Melbourne, 7th December, 1904.

R. C. BAKER,
President.

Ordered—That the foregoing Message be taken into consideration forthwith.
And the said amendments were read, and are as follow :—

SCHEDULE OF THE AMENDMENTS MADE BY THE SENATE.

No. 1. Page 1, clause 3, after line 22, insert—

" and by adding the following paragraph :—

VIII. Appoint an officer or officers of the Defence Force to command the whole or any portion of the Defence Force in time of war."

No. 2. Page 2, clause 4, line 4, after " such " insert " seniority and "

No. 3. Page 2, clause 4, line 9, after " exercised " insert " or performed "

No. 4. Page 2, clause 8, line 38, before " General " insert " the "

On the motion of Mr. McCay, the House, after debate, agreed to the amendments.

7th December, 1904.

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8. **POSTPONEMENT OF ORDERS OF THE DAY.**—Ordered—That the remaining Orders of the Day, Government Business, be Orders of the Day for to-morrow, and that Order of the Day No. 1, General Business, be an Order of the Day for Friday next.
9. **PRECEDENCE TO NOTICE OF MOTION.**—Mr. Reid moved, by leave, That Notice of Motion No. 1, General Business, be postponed until to-morrow, and that it have precedence on that day.
Debate ensued.
Question—put and resolved in the affirmative.
10. **ADJOURNMENT.**—Mr. Reid moved, That the House do now adjourn.
Question—put and resolved in the affirmative.

And then the House at eighteen minutes past eleven o'clock p.m., adjourned until to-morrow at half-past ten o'clock a.m.

MEMBERS PRESENT.—All Members were present except—Mr. Cameron, Mr. Chapman, Mr. Culpin, Mr. Kingston, Mr. Page, Mr. Storrer, and Sir George Turner.

C. GAVAN DUFFY,
Clerk of the House of Representatives.