

1910.

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THE PARLIAMENT OF THE COMMONWEALTH.

No. 20.

VOTES AND PROCEEDINGS

OF THE

HOUSE OF REPRESENTATIVES.

FRIDAY, 5TH AUGUST, 1910.

1. The House met pursuant to adjournment.—Mr. Speaker took the Chair, and read Prayers.
2. CONCILIATION AND ARBITRATION BILL (1910).—The Order of the Day having been read for the further consideration of this Bill in Committee of the whole House—Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole.

In the Committee.

Clause 8.

Mr. Hughes moved an amendment, That all the words after the word "stead," in line 20, be omitted, and that in place thereof the following words be inserted, viz. :—

"40.—(1.) The Court, by its award, or by order made on the application of any organization or person bound by the award may—

- (a) direct that, as between members of organizations of employers or employees and other persons offering or desiring service or employment at the same time, preference shall, in such manner as is specified in the award or order, be given to such members, other things being equal; and
- (b) prescribe a minimum rate of wages or remuneration (in which case the Court shall, on the application of any party to the industrial dispute, or of any organization or person bound by the award), make provision for fixing, in such manner and subject to such conditions as are specified in the award or order, a lower rate in the case of employees who are unable to earn the minimum wage so prescribed.

(2.) Whenever, in the opinion of the Court, it is necessary, for the prevention or settlement of the industrial dispute, or for the maintenance of industrial peace, or for the welfare of society, to direct that preference shall be given to members of organizations as in paragraph (a) of sub-section (1) of this section provided, the Court shall so direct."

Debate ensued.

Question—That the words proposed to be omitted stand part of the clause—put and negatived.

Mr. Sinclair moved an amendment on the amendment, That the words proposed to be inserted in place of the words omitted be amended by inserting after the words "other persons" the words "(not being sons or daughters of employers)".

Question—That the words proposed to be inserted be so inserted—put and passed.

Mr. Kelly moved a further amendment on the amendment, That the words proposed to be inserted in place of the words omitted be further amended by adding thereto the following words :—

"Provided always that before any preference to members of organizations is directed as aforesaid the President shall, by notification published in the *Gazette* and in such other publications, if any, as the Court directs, specifying the industry and the industrial matter in relation to which it is proposed to direct such preference, make known that all persons and organizations interested and desirous of being heard may, on or before a day named, appear or be represented before the Court; and the Court shall, in manner prescribed, hear all such persons and organizations so appearing or represented.

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“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.

“In any case in which the Court directs that preference shall be given it may subsequently suspend or qualify the direction for such time or subject to such conditions as it thinks fit if, in the opinion of the Court, the rules of the organization are burdensome or oppressive or do not provide reasonable conditions for admission to or continuance in membership, or that the organization has acted unfairly or unjustly to any of its members in the matter of preference”.

Debate ensued.

Question—That the words proposed to be added to the proposed amendment be so added.—put.
The Committee divided—

Ayes, 18.

Mr. Atkinson	Mr. Kelly
Mr. Cook	Mr. McWilliams
Mr. Deakin	Mr. Sampson
Mr. G. B. Edwards	Mr. Sinclair
Mr. Fairbairn	Mr. Thomson
Sir John Forrest	Mr. Wynne
Mr. R. W. Foster	
Mr. Fuller	<i>Tellers.</i>
Mr. Glynn	Mr. Greene
Mr. Hans Irvine	Mr. W. Elliot Johnson

Noes, 27.

Mr. Archibald	Mr. Mathews
Mr. Bamford	Mr. Parker Moloney
Mr. Beard	Mr. O'Malley
Mr. Cann	Mr. Riley
Mr. Charlton	Mr. Spence
Mr. Fenton	Mr. Thomas
Mr. Fisher	Mr. Tudor
Mr. Frank J. Foster	Mr. Watkins
Mr. Frazer	Mr. West
Mr. Hall	Mr. Wise
Mr. Higgs	
Mr. Hughes	
Mr. W. J. Johnson	<i>Tellers.</i>
Sir William Lyne	Mr. Chanter
Mr. W. Maloney	Mr. Scullin

And so it was negatived.

And the words proposed by Mr. Hughes to be inserted, with the amendment made therein on the motion of Mr. Sinclair, having been inserted—

Clause 8, as amended, agreed to.

Clause 9 agreed to.

Clause 10 read and debated—

Question—That paragraph (a) stand part of the clause—put.

The Committee divided—

Ayes, 24.

Mr. Archibald	Mr. Parker Moloney
Mr. Bamford	Mr. O'Malley
Mr. Beard	Mr. Riley
Mr. Cann	Mr. Scullin
Mr. Chanter	Mr. Spence
Mr. Charlton	Mr. Thomas
Mr. Fenton	Mr. Tudor
Mr. Fisher	Mr. Watkins
Mr. Frazer	Mr. West
Mr. Higgs	
Mr. Hughes	<i>Tellers.</i>
Mr. W. J. Johnson	Mr. Frank J. Foster
Mr. Mathews	Mr. Hall

Noes, 18.

Mr. Atkinson	Mr. Hans Irvine
Mr. Cook	Mr. McWilliams
Mr. Deakin	Mr. Sampson
Mr. G. B. Edwards	Mr. Sinclair
Mr. Fairbairn	Mr. Thomson
Sir John Forrest	Mr. Wynne
Mr. R. W. Foster	
Mr. Fuller	<i>Tellers.</i>
Mr. Glynn	Mr. W. Elliot Johnson
Mr. Greene	Mr. Kelly

And so it was resolved in the affirmative.

Paragraph (b) omitted, on the motion of Mr. Hughes.

Clause 10, as amended, agreed to.

Clause 11 amended, on the motion of Mr. Hughes, by the addition of the following words thereto—

“and the following Schedule shall be substituted therefor:—

“SCHEDULE B.

Conditions to be complied with by Associations applying for Registration as Organizations.

I. The affairs of the association shall be regulated by rules specifying the purposes for which it is formed, and providing for the following matters in relation to the association:—

- (a) A committee of management and officers;
- (b) The powers and duties of the committee and of officers;
- (c) The removal of members of committee and of officers;
- (d) The control of the committee by the members, either as a whole, or in district meetings, or by a general governing body, or otherwise;
- (e) The mode in which industrial agreements and other documents may be executed by or on behalf of the association;
- (f) The power of bringing industrial disputes before the Court;
- (g) The times when and terms on which persons shall become or cease to be members;

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- (h) The mode in which the property is to be controlled and the funds invested ;
 - (i) The yearly or other more frequent audit of the accounts ;
 - (j) The conditions under which funds may be disbursed for ordinary and extraordinary purposes ;
 - (k) The keeping of a register of the members ;
 - (l) The registered office ; and
 - (m) The repeal and alteration of, and addition to, the rules.
- II. The rules of an association may also provide for any other matter not contrary to law.
- III. No two associations shall be registered as organizations under the same name.
- IV. An application, in the prescribed form, for registration of an association as an organization must be made to the Industrial Registrar, or to the Deputy Industrial Registrar in charge of the Registry in the State where the office of the association is situated, and shall be signed by two or more officers of the association.
- V. Every application for registration shall be in duplicate and shall be accompanied by—
- (a) Two copies of a list of the members and officers of the association, so far as known to those signing the application ;
 - (b) Two copies of the rules of the association ; and
 - (c) Two copies of a resolution passed in accordance with the rules by a majority of the members present at a general meeting of the association, in favour of registration of the association as an organization ; or
 - (d) Two copies of a resolution passed by an absolute majority of the committee of management, in favour of registration of the association as an organization."

Clause, as amended, agreed to.

Mr. Hughes moved a new clause, which, after debate, was agreed to as follows :—

6A. Section twenty-seven of the Principal Act is amended by omitting therefrom the words "or by leave of the President", and by inserting after the words "counsel or solicitor" the words "or paid agent".

Title agreed to.

Bill to be reported with amendments.

The House resumed ; Mr. Chanter reported accordingly.

Ordered—That the consideration of the Report be made an Order of the Day for Tuesday next.

3. MESSAGE FROM THE SENATE.—PARLIAMENTARY WITNESSES BILL.—Mr. Speaker announced the receipt of the following Message from the Senate :—

MR. SPEAKER,

Message No. 5.

The Senate has passed a Bill for "*An Act relating to Parliamentary Witnesses*," and transmits the same to the House of Representatives for its concurrence.

The Senate,
Melbourne, 5th August, 1910.

H. TURLEY,
President.

4. PARLIAMENTARY WITNESSES BILL.—Mr. Hughes moved, That the Bill transmitted by the foregoing Message be now read a first time.

Question—put and passed.—Bill read a first time.

Ordered—That the second reading be made an Order of the Day for Tuesday next.

5. MESSAGE FROM THE SENATE.—OLD-AGE PENSIONS APPROPRIATION BILL.—Mr. Speaker announced the receipt of the following Message from the Senate :—

MR. SPEAKER,

Message No. 6.

The Senate returns to the House of Representatives the Bill for "*An Act to grant and apply out of the Consolidated Revenue Fund a sum for Invalid and Old-age Pensions*," to which it has agreed without amendment.

The Senate,
Melbourne, 5th August, 1910.

H. TURLEY,
President.

5th August, 1910.

6. ADJOURNMENT.—Mr. Fisher moved, That the House do now adjourn.
Debate ensued.
Question—put and passed.

And then the House, at twenty-six minutes past four o'clock p.m., adjourned until Tuesday next at three o'clock p.m.

MEMBERS PRESENT.—All Members were present (at some time during the sitting) except—Mr. Anstey, Mr. Batchelor, Mr. Brown, Mr. Carr, Mr. Catts, Mr. Chapman, Mr. R. Edwards, Mr. Finlayson, Mr. Groom, Mr. Harper, Mr. Hedges, Mr. Howe, Mr. Jensen, Mr. Livingston, Mr. Mahon, Mr. McDougall, Mr. Page, Sir John Quick, Mr. Roberts, Mr. Salmon, and Mr. Bruce Smith.

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