

1911.

## THE PARLIAMENT OF THE COMMONWEALTH

No. 33.

## VOTES AND PROCEEDINGS

OF THE

## HOUSE OF REPRESENTATIVES.

TUESDAY, 31st OCTOBER, 1911.

1. The House met, at three o'clock p.m., pursuant to adjournment.—Mr. Speaker took the Chair, and read Prayers.
2. MESSAGE FROM THE GOVERNOR-GENERAL.—ASSENT TO PETHERICK COLLECTION BILL.—The following Message from His Excellency the Governor-General was presented, and the same was read by Mr. Speaker:—

DENMAN,  
Governor-General.

Message No. 10.

'A Bill intituled "*An Act relating to the Petherick Collection*," as finally passed by the Senate and the House of Representatives of the Commonwealth, having been presented to the Governor-General for the Royal Assent, His Excellency has, in the name and on behalf of His Majesty, assented to the said Act.

Government House,  
Melbourne, 26th October, 1911.

3. PAPERS.—Mr. O'Malley presented, by command of His Excellency the Governor-General—  
Representation Act—Determination of the Representation of the States in the House of Representatives.  
Ordered to lie on the Table.  
Mr. Thomas presented, pursuant to Statute—  
Papua—Ordinances of 1911—  
No. 17.—Animals Prohibition and Restriction.  
No. 23.—Supply (No. 1) 1911-12.  
Mr. O'Malley presented, pursuant to Statute—  
Representation Act—Certificate of the Chief Electoral Officer of the numbers of the people of the Commonwealth and of the several States.
4. COMMONWEALTH BANK BILL.—The Order of the Day having been read for the consideration in Committee of the whole House of His Excellency the Governor-General's Message No. 7—  
Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole.

(In the Committee.)

*Resolved*, on the motion of Mr. Fisher—That it is expedient that an appropriation of revenue and moneys be made for the purposes of a Bill for an Act to provide for a Commonwealth Bank.

Resolution to be reported.

The House resumed; Mr. Poynton reported accordingly.

Ordered—That the Report be considered at once.

And the said Resolution was adopted by the House.

Ordered—That Mr. Fisher and Mr. Hughes do prepare and bring in a Bill to carry out the foregoing Resolution.

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5. CONCILIATION AND ARBITRATION BILL (1911).—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 3 further debated and agreed to.

Clause 4 amended, on the motion of Mr. Hughes, after debate, by the insertion of the words "purporting to be" after the word "association" in line 2.

Clause, as amended, agreed to.

Clause 5—

Mr. Brennan moved an amendment, That the following words be inserted after the word "inserting" in line 7 :—

"at the beginning thereof the words—

'No employer shall dismiss any employé from his employment and no person shall injure such employé or other person in his employment or prejudice his application for employment or alter his position or refrain from altering his position to his prejudice or injure him in any way whatsoever by reason of the fact that such employé or person is an officer of an organization or of an association that has applied to be registered as an organization or is seeking to become a member of such an organization or association or holds himself out to the public as such member or is entitled to the benefit of an industrial agreement or award, and no employer or other person shall exact a promise or undertaking from any employé or person as a condition of employment not to become a member of such association or organization.

Penalty: £50.

(2) No proceeding for any contravention of this section shall be substituted without the leave of the President or the Registrar.

(3) In any proceeding for any contravention of this section the burden of proof shall be upon the defendant."

Debate ensued.

Amendment, by leave, withdrawn.

Clause debated and agreed to.

Clause 6 agreed to.

Clause 7 debated and agreed to.

Clause 8 debated.

Mr. Hughes moved an amendment, That the following words be added to the clause :—

“, but so that no costs shall be allowed for the services of any counsel, solicitor, or agent”.

Question—put and passed.

Clause, as amended, agreed to.

Clause 9—

Mr. Sinclair moved an amendment, That the following new paragraph be added to the clause :—

“by adding—

'(c) An organization for the purpose of this section shall include an employer in or in connection with any industry, who has in the aggregate throughout the six months prior to the submission of an industrial dispute by plaint to the court, employed not less than one hundred employés on the average per month, in that industry.'

Debate ensued.

Amendment, by leave, withdrawn.

Clause debated and agreed to.

Clause 10 debated and agreed to.

Clauses 11 and 12, agreed to.

Clause 13 debated and agreed to.

Clause 14 agreed to.

Clause 15 debated and, on the motion of Mr. Hughes, amended by inserting "(a)" after the word "amended" in line 20 and by adding at the end of the clause the following words "and (b) by adding at the end of the section the words 'or of preventing further industrial disputes.'"

Clause, as amended, agreed to.

Clause 16 debated and agreed to.

Clause 17 debated and, on the motion of Mr. Hughes, amended by the addition of the following words "and the Registrar shall thereupon record the change of name in the register and upon the certificate of registration."

Clause, as amended, agreed to.

Clause 18 amended, on the motion of Mr. Hughes, by the insertion of the words "or of the Registrar" after the word "interested" in line 38.

Mr. W. Elliot Johnson moved a further amendment, That the following new paragraph be inserted in the clause after paragraph (a) :—

"(aa) by inserting the following sub-section—

'(cc) that the rules or objects of a registered organization impose political conditions or include political aims or require its members to contribute to political funds; or to support political candidates; or subscribe to political newspapers.'

Debate ensued.

Question—That the paragraph proposed to be inserted be so inserted—put.

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The Committee divided—

Ayes, 17.		Noes, 22.	
Mr. Cook	Sir John Quick	Mr. Archibald	Mr. Page
Mr. Deakin	Mr. Salmon	Mr. Cann	Mr. Riley
Sir John Forrest	Mr. Sinclair	Mr. Carr	Mr. Roberts
Mr. R. W. Foster	Mr. Thomson	Mr. Chanter	Mr. Laird Smith
Mr. Glynn	Mr. Wynne	Mr. Charlton	Mr. Tudor
Mr. Greene		Mr. Fenton	Mr. Watkins
Mr. Groom		Mr. Fisher	Mr. West
Mr. Hedges	<i>Tellers.</i>	Mr. Frazer	Mr. Wise
Mr. W. H. Irvine	Mr. W. Elliot Johnson	Mr. Hughes	
Mr. Livingston	Mr. McWilliams	Mr. Jensen	<i>Tellers.</i>
		Mr. McDougall	Mr. Brennan
		Mr. O'Malley	Mr. Finlayson

And so it was negatived.

Clause, as amended, agreed to.

Clauses 19, 20, and 21, agreed to.

On the motion of Mr. Hughes the following new clauses were added to the Bill:—

“4A. Section seven of the Principal Act is amended—

(a) by omitting the words ‘in any industry’; and

(b) by omitting the words ‘in that industry’.”

Lock-outs  
or strikes after  
industrial  
agreement.

“16A. Section fifty-five of the Principal Act is amended—

(a) by inserting in sub-section (1) after the words ‘following associations’ the words ‘or persons’;

(b) by inserting in paragraph (a) of sub-section (1) after the word ‘aggregate’ the words ‘or any employer who has’.”

Mr. Greene moved, That the following new clause be added to the Bill:—

“21A. After section ninety-one of the Principal Act the following section is inserted:—

‘A Member of the Commonwealth or any State Parliament shall not be an office-bearer in any organization under this Act.’”

Debate ensued.

Question—put and negatived.

Title agreed to.

Bill to be reported with amendments.

The House resumed; Mr. Poynton reported accordingly.

On the motion of Mr. Hughes, by leave, the House adopted the Report, and the third reading was made an Order of the Day for to-morrow.

6. POSTPONEMENT OF ORDERS OF THE DAY.—Ordered—That Orders of the Day Nos. 3, 4, and 5 be postponed until after Order of the Day No. 6.

7. LIGHTHOUSES BILL.—The Order of the Day having been read for the consideration of the Report from the Committee of the whole House on this Bill—

Mr. Tudor moved, That the Bill be now recommitted to a Committee of the whole House for the reconsideration of clauses 3 and 7 and for the consideration of proposed new clause 8B.

Debate ensued.

Question—put and passed.

Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole.

*(In the Committee.)*

Clause 3—

On the motion of Mr. Tudor the following amendment was made in the clause:—

Line 11, omit the word “and” before the word “buoys” in the definition “Marine Marks”, and at the end of that definition insert “and submarine signal stations.”

Clause, as amended, agreed to.

Clause 7—

On the motion of Mr. Tudor, the following paragraph was omitted from the clause:—

“(d) construct submarine signal stations.”

Clause, as amended, agreed to.

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On the motion of Mr. Tudor the following new clause was, after debate, added to the Bill :—

“ 8B. An action or other proceeding shall not be maintainable against the Commonwealth, or the Minister, or any officer of the Commonwealth by reason of any act, default, error, or omission, whether negligent or otherwise in relation to any lighthouse or marine mark.”

Bill to be reported with further amendments.

The House resumed ; Mr. Poynton reported accordingly.

On the motion of Mr. Tudor, by leave, the House adopted the Reports, and the third reading was made an Order of the Day for to-morrow.

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

And then the House, at twenty-five minutes to eleven o'clock p.m., adjourned until to-morrow at half-past two o'clock p.m.

MEMBERS PRESENT.—All Members were present (at some time during the sitting) except—Mr. Catts, Mr. Frank J. Foster, Mr. Fuller\*, Mr. Hall, Mr. Harper, Mr. Howe, Mr. W. J. Johnson, Sir William Lyne, Mr. Ryrie, and Mr. Webster.

\* On leave.

WALTER A. GALE,  
*Clerk Assistant,*  
*for Clerk of the House of Representatives.*