

1920.

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA.

No. 66.

VOTES AND PROCEEDINGS

OF THE

HOUSE OF REPRESENTATIVES.

THURSDAY, 2ND SEPTEMBER, 1920.

1. The House met, at eleven o'clock a.m., pursuant to adjournment.—Mr. Speaker took the Chair, and read Prayers.

2. PAPER.—The following Paper was presented, by command of His Excellency the Governor-General—
Wireless Telegraphy Committee, Imperial, 1919–20—Report. (Paper presented to the British Parliament.)

Ordered to lie on the Table, and to be printed.

3. COMMONWEALTH BANK BILL (1920).—Sir Joseph Cook moved, pursuant to notice, That he have leave to bring in a Bill for an Act to amend the *Commonwealth Bank Act* 1911–1914, and for other purposes.

Debate ensued.

Mr. Lavelle proposing to move to amend the motion—

Closure—

Mr. Hughes moved, That the question be now put.

Question—That the question be now put—put.

The House divided—

Ayes, 34.

Mr. Bamford	Mr. Jackson
Mr. Bayley	Mr. Lister
Mr. Bell	Mr. Livingston
Mr. Donald Cameron	Mr. Mackay
Mr. Chanter	Mr. Marks
Mr. Austin Chapman	Mr. Marr
Sir Joseph Cook	Mr. Earle Page
Mr. Robert Cook	Mr. Poynton
Mr. Fleming	Mr. Prowse
Mr. R. W. Foster	Mr. Rodgers
Mr. Fowler	Sir Granville Ryrie
Mr. Francis	Mr. Laird Smith
Mr. Gibson	Mr. Wienholt
Mr. Greene	Mr. Wise
Mr. Gregory	
Mr. Groom	<i>Tellers :</i>
Mr. Hill	Mr. Burchell
Mr. Hughes	Mr. Story

Noes, 14.

Mr. Brennan	Mr. Parker Moloney
Mr. Charlton	Mr. Ryan
Mr. Cunningham	Mr. Tudor
Mr. Gabb	Mr. West
Mr. Lavelle	
Mr. Lazzarini	<i>Tellers :</i>
Mr. Mathews	Mr. Fenton
Mr. McGrath	Mr. Riley

And so it was resolved in the affirmative.

And the question being accordingly put—That he have leave to bring in a Bill for an Act to amend the *Commonwealth Bank Act* 1911–1914 and for other purposes—was passed.

Sir Joseph Cook brought up the Bill accordingly, and moved, That it 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 to-morrow.

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4. WESTRALIAN FARMERS AGREEMENT BILL.—Mr. Hughes moved, pursuant to notice, That he have leave to bring in a Bill for an Act to approve the Agreement made between His Majesty's Government of the Commonwealth of Australia and Basil Lathrop Murray, of Perth, in the State of Western Australia, Managing Director of the Westralian Farmers Limited, and for other purposes.
Question—put and passed.
Mr. Hughes brought up the Bill accordingly, and moved, That it 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 Thursday next.
5. CONCILIATION AND ARBITRATION BILL (1920)—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.)

Mr. Groom moved, That the following new clauses 4A (previously postponed) and 6A be added to the Bill :—

4A. Section eleven of the Principal Act is amended by adding at the end thereof "and such Deputy Presidents as are appointed in pursuance of this Act." Constitution of Court.

6A. After section eighteen of the Principal Act the following section is inserted in Division 2 of Part III. :—

"18A.—(1.) Subject to this Act the jurisdiction of the Court may be exercised by the President or a Deputy President. Jurisdiction of Court—how exercised.

"(2.) The President or a Deputy President may, in any case in which he thinks it desirable so to do, invite one or more Deputy Presidents to sit with him for the hearing and determination of any dispute or part of a dispute.

"(3.) Where the Court is constituted of the President and one or more Deputy Presidents, or of two or more Deputy Presidents, and the members of the Court are divided in opinion on any question relating to the prevention or settlement of an industrial dispute, the question shall be decided according to the decision of the majority, if there is a majority, but if the members of the Court are equally divided in opinion the question shall be decided according to the opinion of the President, or, in his absence, according to the opinion of the Senior Deputy President.

"(4.) Notwithstanding anything contained in this Act, the Court shall not have jurisdiction to make an award—

(a) increasing the standard hours of work in any industry, or

(b) reducing the standard hours of work in any industry to less than forty-eight hours per week, or, where the standard hours of work in any industry are less than forty-eight hours per week, reducing the standard hours of work in that industry,

unless the question is heard by the President and not less than two Deputy Presidents, and the increase or reduction, as the case may be, is approved by a majority of the members of the Court by whom the question is heard."

Debate ensued.

Mr. Charlton moved, as an amendment, That all the words after the end of sub-clause (3.) be omitted from clause 6A.

Debate continued.

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

The Committee divided—

Ayes, 25.

Noes, 18.

Mr. Bayley	Mr. Jackson	Mr. Charlton	Mr. McWilliams
Mr. Bell	Mr. Lister	Mr. Cunningham	Mr. Parker Moloney
Sir Robert Best	Mr. Mackay	Mr. Francis	Mr. Earle Page
Mr. Bruce	Mr. Marr	Mr. Gabb	Mr. Ryan
Mr. Donald Cameron	Mr. Poynton	Mr. Hill	Mr. Tudor
Sir Joseph Cook	Mr. Rodgers	Mr. Lavelle	Mr. Wienholt
Mr. Robert Cook	Sir Granville Ryrie	Mr. Lazzarini	
Mr. Corser	Mr. Laird Smith	Mr. W. Maloney	<i>Tellers:</i>
Mr. R. W. Foster	Mr. Wise	Mr. Maxwell	Mr. Brennan
Mr. Gibson		Mr. McGrath	Mr. Riley
Mr. Greene			
Mr. Gregory	<i>Tellers:</i>		
Mr. Groom	Mr. Burchell		
Mr. Hughes	Mr. Story		

And so it was resolved in the affirmative.

Mr. Groom moved, That the following words be added to the proposed clause 6A :—

"Provided that this sub-section shall not apply to any case in which the hearing of the claim was commenced before the commencement of this section."

Debate ensued.

Question—put and passed.

Question—That the proposed clauses, as amended, be added to the Bill—put.

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The Committee divided—

Ayes, 24.		Noes, 17.	
Mr. Bayley	Mr. Jackson	Mr. Charlton	Mr. Earle Page
Mr. Bell	Mr. Lister	Mr. Cunningham	Mr. Riley
Mr. Bruce	Mr. Mackay	Mr. Francis	Mr. Ryan
Mr. Donald Cameron	Mr. Marr	Mr. Gabb	Mr. Tudor
Sir Joseph Cook	Mr. Poynton	Mr. Hill	Mr. Wienholt
Mr. Robert Cook	Mr. Rodgers	Mr. Lavelle	
Mr. Corser	Sir Granville Ryrie	Mr. Lazzarini	<i>Tellers:</i>
Mr. R. W. Foster	Mr. Laird Smith	Mr. Maxwell	
Mr. Gibson	Mr. Wise	Mr. McWilliams	Mr. Brennan
Mr. Greene		Mr. Parker Moloney	Mr. McGrath
Mr. Gregory	<i>Tellers:</i>		
Mr. Groom	Mr. Burchell		
Mr. Hughes	Mr. Story		

And so it was resolved in the affirmative.

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

Section No. 40 (1.) of the Principal Act is amended by omitting the first paragraph and inserting in place thereof "40 (1.) The Court by its award shall grant preference of employment to the members of the organization obtaining such award."

Debate ensued.

Question—put.

The Committee divided—

Ayes, 11.		Noes, 28	
Mr. Brennan	Mr. Ryan	Mr. Bayley	Mr. Lister
Mr. Charlton	Mr. Tudor	Mr. Bell	Mr. Mackay
Mr. Cunningham		Mr. Bruce	Mr. Marr
Mr. Gabb	<i>Tellers:</i>	Mr. Donald Cameron	Mr. McWilliams
Mr. Lavelle		Sir Joseph Cook	Mr. Earle Page
Mr. Lazzarini	Mr. McGrath	Mr. Robert Cook	Mr. Poynton
Mr. Riley	Mr. Parker Moloney	Mr. Corser	Mr. Rodgers
		Mr. R. W. Foster	Sir Granville Ryrie
		Mr. Gibson	Mr. Laird Smith
		Mr. Greene	Mr. Wienholt
		Mr. Gregory	Mr. Wise
		Mr. Groom	
		Mr. Hill	<i>Tellers:</i>
		Mr. Hughes	Mr. Burchell
		Mr. Jackson	Mr. Story

And so it was negatived.

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

The following words are added at the end of section 16 of the Principal Act :—

"and the Court shall have jurisdiction to override any provision of the War Precautions Act or of the regulations made thereunder when in the opinion of the Court such overriding is necessary for the prevention or settlement of any industrial dispute."

Debate ensued.

Question—put.

The Committee divided—

Ayes, 10.		Noes, 27.	
Mr. Charlton	Mr. Riley	Mr. Bayley	Mr. Mackay
Mr. Cunningham	Mr. Ryan	Mr. Bell	Mr. Marr
Mr. Gabb		Mr. Bruce	Mr. Maxwell
Mr. Lavelle	<i>Tellers:</i>	Mr. Donald Cameron	Mr. McWilliams
Mr. Lazzarini	Mr. Brennan	Sir Joseph Cook	Mr. Poynton
Mr. McGrath	Mr. Parker Moloney	Mr. Robert Cook	Mr. Rodgers
		Mr. Corser	Sir Granville Ryrie
		Mr. R. W. Foster	Mr. Laird Smith
		Mr. Gibson	Mr. Wienholt
		Mr. Greene	Mr. Wise
		Mr. Gregory	
		Mr. Groom	<i>Tellers:</i>
		Mr. Hill	
		Mr. Jackson	Mr. Burchell
		Mr. Lister	Mr. Story

And so it was negatived.

2nd September, 1920.

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

The following section is inserted in the Principal Act :—

- “(a) The accredited representative of any organization registered under this Act shall have the power at any time to visit any place where work is being carried on under an award of the Court, in order to ascertain whether the award is being observed, and to transact any work deemed necessary on behalf of the organization or its members. ”
- “(b) The accredited representatives of any organization registered under this Act shall have the power at any time to visit any place where work is being carried on and where it is proposed to obtain an award, in order to attend to the work necessary to prepare the case for the Court, and collect evidence to support the claim, and to transact any work deemed necessary on behalf of the organization or its members.

Question—put.

The Committee divided—

Ayes, 8.		Noes, 25.	
Mr. Charlton	Mr. Ryan	Mr. Bayley	Mr. Mackay
Mr. Cunningham		Mr. Bell	Mr. Marr
Mr. Gabb	<i>Tellers :</i>	Mr. Bruce	Mr. McWilliams
Mr. Lavelle	Mr. Brennan	Mr. Donald Cameron	Mr. Poynton
Mr. Lazzarini	Mr. McGrath	Sir Joseph Cook	Mr. Rodgers
		Mr. Robert Cook	Sir Granville Ryrie
		Mr. Corser	Mr. Laird Smith
		Mr. R. W. Foster	Mr. Wienholt
		Mr. Gibson	Mr. Wise
		Mr. Greene	
		Mr. Groom	<i>Tellers :</i>
		Mr. Hill	
		Mr. Jackson	Mr. Burchell
		Mr. Lister	Mr. Story

And so it was negatived.

Progress to be reported, and leave asked to sit again.

The House resumed ; Mr. Chanter reported accordingly.

Resolved—That the House will, to-morrow, again resolve itself into the said Committee.

6. PAPER.—The following Paper was presented, pursuant to Statute—

Customs Act—Regulations Amended—Statutory Rules 1920, No. 149.

7. ADJOURNMENT.—Mr. Hughes moved, That the House do now adjourn.

Question—put and passed.

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

MEMBERS PRESENT.—All Members were present (at some time during the sitting) except—Mr. Anstey, Mr. Blakeley, Mr. Blundell, Mr. Bowden*, Mr. Considine, Mr. Hay, Mr. Higgs, Mr. Jowett, Mr. Lamond, Mr. Mahon, Mr. Mahony, Mr. Nicholls, Mr. James Page*, Mr. Stewart, Mr. Watkins, and Mr. Watt.

* On leave.

WALTER A. GALE,
Clerk of the House of Representatives.