

1926-27-28.

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA,
CANBERRA.

No. 186.

VOTES AND PROCEEDINGS
OF THE
HOUSE OF REPRESENTATIVES.

SATURDAY, 9TH JUNE, 1928.

1. The House met, at eleven o'clock a.m., pursuant to adjournment.—Mr. Speaker (the Honorable Sir Littleton Groom) took the Chair, and read Prayers.
2. MINISTERIAL STATEMENT—AEROPLANE FLIGHT FROM AMERICA TO AUSTRALIA ACROSS THE PACIFIC BY CAPTAIN KINGSFORD SMITH AND COMPANIONS.—Mr. Latham (Attorney-General), by leave, made a Ministerial Statement announcing that Captain Kingsford Smith and his three companions arrived at Brisbane this morning, completing the first aeroplane flight from America to Australia. Mr. Latham also expressed the gratification and congratulations of the Government, and announced that a grant of £5,000 would be made to Captain Kingsford Smith and his associates in recognition of this daring and remarkable feat.
Mr. Scullin (Leader of the Opposition), by leave, also addressed the House with reference to the matter.
3. PAPERS.—The following Papers were presented, pursuant to Statute—
New Guinea Act—Ordinances of 1928—
No. 8—Maintenance Orders (Facilities for Enforcement).
No. 9—Copra.
No. 10—Explosives.
No. 11—Legal Practitioners.
No. 12—Judiciary.
Norfolk Island Act—Ordinances of 1928—
No. 1—Maintenance Orders (Facilities for Enforcement).
No. 2—Royal Commissions.
4. CONCILIATION AND ARBITRATION BILL (No. 2) (1927).—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 27 debated—

Question—That the clause be agreed to—put.

The Committee divided—

Ayes, 26.

Mr. Atkinson	Mr. Killen
Mr. Donald Cameron	Mr. Latham
Mr. Malcolm Cameron	Mr. Mackay
Mr. Corser	Mr. Marr
Mr. R. W. Foster	Mr. Maxwell
Mr. Grosvenor Francis	Mr. Nott
Sir John Gellibrand	Mr. Parsons
Mr. Gibson	Mr. Perkins
Mr. Gullett	Mr. Rodgers
Mr. Hill	Mr. Seabrook
Sir Neville Howse	
Mr. Hughes	<i>Tellers:</i>
Mr. Hurry	Mr. Hunter
Mr. Jackson	Mr. Manning

Noes, 15.

Mr. Anstey	Mr. Parker Moloney
Mr. Blakeley	Mr. E. C. Riley
Mr. Brennan	Mr. Scullin
Mr. Charlton	Mr. Yates
Mr. Albert Green	
Mr. Lacey	
Mr. Makin	<i>Tellers:</i>
Mr. W. Maloney	Mr. Fenton
Mr. McGrath	Mr. Lazzarini

And so it was resolved in the affirmative.

9th June, 1928.

Clause 28 debated—

Mr. Killen moved, as an amendment, That sub-section (1.) of proposed section 34 be omitted, with a view to the insertion of the following sub-sections in place thereof :—

“(1.) An organization or person which or who is a party to an industrial dispute may apply in the prescribed manner to the Chief Judge for the establishment of a Conciliation Committee.

“(2.) Upon receipt of an application under the last preceding sub-section the Chief Judge shall, upon being satisfied that an industrial dispute exists to which the applicant is a party, within fifteen days of the receipt of the application order the establishment of the Committee.

“(3.) The Registrar shall, upon the making of an order under the last preceding sub-section, forthwith cause a copy of the order to be served upon each party to the dispute.

“(4.) Each Committee appointed under this section shall consist of three members selected in accordance with this section and appointed by the Chief Judge.

“(5.) The employers and employees parties to the dispute may respectively within five days after the service of the order upon the parties to the dispute recommend to the Chief Judge the name of one person for appointment as a member of the Committee and the Chief Judge shall appoint those persons accordingly.

“(6.) If either the employers or the employees fail to make a recommendation under the last preceding sub-section the Chief Judge shall as soon as possible after the expiration of the said period of five days appoint a person to represent them on the Committee.

“(6A.) The persons appointed respectively to represent the employers and the employees on the Committee shall within five days of their appointment recommend to the Chief Judge the name of one person for appointment as third member of the Committee and the Chief Judge shall forthwith appoint that person accordingly, and in the absence of any such recommendation within that period the Chief Judge shall forthwith appoint a person as third member of the Committee.

“(6B.) The third member of the Committee shall be the Chairman thereof.

“(6C.) As soon as possible after a Committee has been established under this section the Registrar shall notify the parties to the dispute of the names of the members and Chairman of the Committee.

“(6D.) A Committee appointed under this section shall frame a recommendation for the settlement of the dispute in relation to which it was appointed and shall lodge it with the Registrar for submission to the Court.

“(6E.) Every member of a Committee appointed under this section shall hold office from the date of his appointment until the recommendation of the Committee has been lodged with the Registrar under sub-section (6D.) of this section.

“(6F.) The Registrar shall supply a copy of any recommendation of a Committee to each organization or person party to the dispute and to the representative of any newspaper published in Australia who applies therefor.”

Debate continued.

Amendment negatived.

On the motion of Mr. Latham (Attorney-General), the following amendments were made :—

Page 8, after sub-section (1.) of proposed section 34, insert the following sub-section :—

“(1A.) An application for the appointment of a Conciliation Committee by the Chief Judge may be made in the prescribed manner to the Industrial Registrar by any party to an industrial dispute.”

Page 8, at the end of sub-section (3.) of proposed section 34 insert the following proviso :—

“Provided that if the other members of the Committee concur in nominating any other person as Chairman the Chief Judge shall appoint that person as Chairman.”

Page 8, after sub-section (3.) of proposed section 34 insert the following sub-section :—

“(3A.) The Chairman of a Conciliation Committee shall preside over meetings of the Committee but shall not be entitled to vote on any question before the Committee.”

Page 9, lines 31–37, omit sub-section (12.) of proposed section 34.

Page 9, line 40, omit “(10.)”, insert “(11.)”.

Page 9, after sub-section (13.) of proposed section 34 insert the following proviso :—

“Provided that the making of an order under sub-section (11.) of this section shall not prevent any person from appearing separately, if he so desires, in any proceedings relating to the dispute.”

Clause, as amended, agreed to.

Clauses 29 to 31 agreed to.

Clause 32—

Mr. Latham moved, as an amendment, That after “consider.” (page 10, line 33) the words “in the course of the hearing and as promptly as possible” be inserted.

Debate ensued.

Amendment agreed to.

Question—That the clause, as amended, be agreed to—put.

9th June, 1928.

The Committee divided—

Ayes, 25.		Noes, 16.	
Mr. Atkinson	Mr. Killen	Mr. Anstey	Mr. McGrath
Mr. Donald Cameron	Mr. Latham	Mr. Blakeley	Mr. Parker Moloney
Mr. Malcolm Cameron	Mr. Mackay	Mr. Charlton	Mr. E. C. Riley
Mr. Corser	Mr. Marr	Mr. Albert Green	Mr. Scullin
Mr. R. W. Foster	Mr. Nott	Mr. Lacey	Mr. Yates
Mr. Grosvenor Francis	Mr. Parsons	Mr. Lazzarini	
Sir John Gellibrand	Mr. Perkins	Mr. Makin	<i>Tellers:</i>
Mr. Gibson	Mr. Rodgers	Mr. W. Maloney	Mr. Brennan
Mr. Gregory	Mr. Seabrook	Mr. Maxwell	Mr. Fenton
Mr. Gullett			
Mr. Hill			
Sir Neville Howse	<i>Tellers:</i>		
Mr. Hurry	Mr. Hunter		
Mr. Jackson	Mr. Manning		

And so it was resolved in the affirmative.

Clause 33—

On the motion of Mr. Latham, the following amendment was made :—

Page 11, line 30, omit " or ", insert " and ".

Clause, as amended, agreed to.

Clauses 34 to 40 agreed to.

Clause 41 debated and agreed to.

Clauses 42 and 43 agreed to.

Clause 44—

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

The House resumed ; Mr. Hurry reported accordingly.

Resolved—That the House will, at the next sitting, again resolve itself into the said Committee.

5. SUBPŒNA—PRODUCTION OF DOCUMENT.—Mr. Speaker said—

"The Clerk of the House has been informed that a subpoena has been issued for him to appear in Sydney on Monday next, 11th June, before the Royal Commission presided over by Judge Scholes, and produce the letter, dated 18th January, 1927, of resignation of Mr. W. G. Mahony as a Member of this House. If the House approves the Clerk or some officer of his staff will be authorized to attend and produce the letter as required by the subpoena."

6. ALTERATION OF DAY OF NEXT MEETING.—Mr. Latham (Attorney-General) moved, That the House, at its rising, adjourn until Monday next at eleven o'clock a.m.

Question—put and passed.

7. ADJOURNMENT.—Mr. Latham (Attorney-General) moved, That the House do now adjourn.

Question—put and passed.

And then the House, at half-past five o'clock p.m., adjourned until Monday next at eleven o'clock a.m.

MEMBERS PRESENT.—All members were present (at some time during the sitting) except—
Mr. Aubrey Abbott, Mr. Bayley, Mr. Bell, Mr. Bowden*, Mr. Bruce, Mr. Coleman, Mr. Robert Cook, Mr. Forde, Mr. Josiah Francis, Mr. Gardner, Mr. Roland Green*, Sir Elliot Johnson, Mr. Lambert, Mr. Ley, Mr. Lister, Mr. Mann, Mr. Marks, Mr. Earle Page, Mr. Parkhill, Mr. Thomas Paterson, Mr. Prowse, Mr. Edward Riley, Mr. Stewart, Mr. Theodore, Mr. Thompson, Mr. Watkins, Mr. Watt, and Mr. West.

* On leave.

E. W. PARKES,
Clerk of the House of Representatives.