

1912.

THE PARLIAMENT OF THE COMMONWEALTH.

No. 59.

VOTES AND PROCEEDINGS

OF THE

HOUSE OF REPRESENTATIVES.

WEDNESDAY, 2ND OCTOBER, 1912.

1. The House met, at half-past ten o'clock a.m., pursuant to adjournment.—Mr. Speaker took the Chair, and read Prayers.
2. NAVIGATION BILL.—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 25 again read, and agreed to.

Clause 26 debated.

Mr. Glynn moved an amendment, That the following words be inserted after the word "ship," in line 19 :—"or person who is *bona fide* a servant and in the constant and exclusive employment of the owner".

Debate continued.

Amendment negatived.

Clause agreed to.

Clause 27 debated and agreed to.

Clause 28 omitted from the Bill.

Clauses 29 to 34 agreed to.

Clause 35, after debate, amended, on the motion of Mr. Tudor, by the insertion of the words "and river and bay ships" after the word "tonnage" in line 39.

Clause, as amended, agreed to.

Clause 36 agreed to.

Clause 37, after debate, amended, on the motion of Mr. Tudor, as follows :—

After the word "apprentice," in line 19, the words "and is eighteen years of age" were inserted; after the word "year," in line 27, the words "before the mast or as an apprentice" were inserted; the word "eighteen" was omitted from line 27, and the word "seventeen" inserted in place thereof; and after the letters "A.B.," in line 29, the letters and words "O.S. greaser or fireman" were inserted.

Clause, as amended, agreed to.

Clause 38, after debate, amended, on the motion of Mr. Tudor, by the insertion of the words "or a river and bay ship" before the word "to" in line 34.

Clause, as amended, agreed to.

Clause 39, after debate, amended, on the motion of Mr. Tudor, by the omission of sub-clause (2.), and by the insertion of the following sub-clause in place thereof :—

"(2.) After the expiration of twelve months from the commencement of this Act, a seaman shall not be permitted to engage in any capacity unless he satisfies the superintendent that he can pull an oar and handle a boat: Provided that this sub-section shall not apply to the engagement of a seaman who has not previously served at sea."

Clause, as amended, agreed to.

Clauses 40 and 41 agreed to.

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Clause 42, after debate, amended, on the motion of Mr. Tudor, by the omission of sub-clause (1), and by the insertion of the following sub-clause in place thereof:—

“(1.) The owner of a ship shall not suffer her to go to sea, and the master shall not take her to sea without carrying the crew prescribed or specified in the last preceding section.

Penalty: One hundred pounds.”

Clause, as amended, agreed to.

Clause 43—

Mr. Glynn moved an amendment, That the following words be inserted after the word “prescribed,” in line 31, “or where, in the opinion of the superintendent, or deputy superintendent of the Mercantile Marine Office, a sufficiency of local labour at rates prescribed by an award or an industrial agreement under the *Commonwealth Conciliation and Arbitration Act 1904-11* is not available.”

Debate ensued.

Amendment negatived.

Debate on clause continued.

Clause postponed.

Clause 44, after debate, amended, on the motion of Mr. Tudor, by the omission from line 3 of the word “fifteen” and the insertion of the word “fifty” in place thereof; and by the insertion after the word “tonnage” in the same line of the words “or a river and bay ship”.

Debate, on clause as amended, continued.

Clause, as amended, agreed to.

Clause 45 agreed to.

Clause 46 amended, on the motion of Mr. Tudor, by the insertion after the word “agreement” in line 39 of the following words, “or if within twenty-four hours of the ship’s putting to sea the services of a seaman are lost by death, desertion, or other unforeseen cause,”.

Clause, as amended, agreed to.

Clause 47 agreed to.

Clause 48 debated and, on the motion of Mr. Tudor, amended by the omission from line 22 of the words “ship reaches a port of destination” and by the insertion of the words “ship’s arrival at a port of destination and the discharge of cargo consequent on that arrival” in place thereof; and by the omission from line 32 of the word “superintendent” and the insertion of the words “proper authority” in place thereof.

Clause, as amended, agreed to.

Clause 49 debated and agreed to.

Clause 50 amended, on the motion of Mr. Tudor, by the omission of sub-clause (1.) and by the insertion of the following sub-clause in place thereof:—

“(1.) The master of every foreign-going ship shall, before finally leaving Australia, sign and send to the nearest Superintendent, on the prescribed form, a full and accurate statement of every change which takes place in his crew before finally leaving Australia.

Penalty: Five pounds.”

Clause, as amended, agreed to.

Clause 51 amended, on the motion of Mr. Tudor, by the insertion after the word “voyage” in line 45 of the words “or engagement”.

Clause, as amended, agreed to.

Clause 52, after debate, amended, on the motion of Mr. Tudor, by the omission from line 4 of the words “in any port” and the insertion of the words “at her final port of destination” in place thereof.

Clause, as amended, agreed to.

Clauses 53 to 58 agreed to.

Clause 59 amended, on the motion of Mr. Tudor, by the omission from line 16 of the word “fifteen” and the insertion of the word “fifty” in place thereof; by the insertion in line 17 after the word “tonnage” of the words “or a river and bay ship”; by the omission of the word “fifteen” in line 20 and the insertion of the word “fifty” in place thereof; and by the insertion in the same line after the word “tonnage” of the words “or a river and bay ship”.

Clause, as amended, agreed to.

Clause 60 debated and, on the motion of Mr. Tudor, amended by the omission from line 38 of the words “or could not be obtained” and by the addition to the clause of the following words:—
“and it shall be a good defence if the master proves that under the circumstances it was not reasonably practicable for him to apply for the sanction”.

Clause, as amended, agreed to.

Clause 61 debated—

Mr. Tudor moved an amendment that the words “or the time during which he served in that capacity” be inserted after the word “served” in line 40.

Debate ensued.

Amendment temporarily withdrawn.

Mr. Groom moved an amendment, That the first word of the clause be omitted.

Debate continued.

Amendment of Mr. Groom withdrawn.

Amendment of Mr. Tudor agreed to.

Clause, as amended, agreed to.

Clause 62 agreed to.

Clause 63 amended, on the motion of Mr. Tudor by the omission from line 2 of the word “fifteen” and the insertion of the word “fifty” in place thereof; by the insertion of the words “or any river and bay ship” after the word “tonnage” in the same line; and by the addition to the clause of the words “and river and bay ships”.

Clause, as amended, agreed to.

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Clause 64 debated and agreed to.

Clause 65 debated and agreed to.

Clause 66 debated and agreed to.

Clause 67 agreed to.

Clause 68 amended, on the motion of Mr. Hughes, by the omission from line 47 of the words “(not exceeding one-half)” and by the insertion before sub-clause (2.) of the following sub-clause:—

“(1A.) Except by agreement with the master an allotment note shall not provide for payment of a greater sum than one-half of the seaman’s wages.”

Clause, as amended, agreed to.

Clause 69 agreed to.

Clause 70 omitted from the Bill.

Clauses 71, 72, and 73 agreed to.

Clause 74 amended, on the motion of Mr. Hughes, by the insertion after the word “book” in line 21 of the words “to be kept for that purpose”; and by the insertion after the word “deductions” in line 23 of the words “which shall be initialled or signed by the seaman”.

Clause, as amended, agreed to.

Clause 75, after debate, amended, on the motion of Mr. Hughes, by the insertion after sub-clause (1.) of the following sub-clause:—

“(1A.) In cases where the seamen are engaged on time or running agreement on an Australian trade or limited coast-trade ship, all wages earned shall be paid monthly not later than the first day of each month, or thereafter within twenty-four hours after the ship first arrives at any port in Australia at which there is a bank.”

Wages to be paid monthly on Australian trade and limited coast trade ships. N.Z., 1908, s. 63.

Clause, as amended, agreed to.

Clause 76 omitted from the Bill.

Clause 77 amended, on the motion of Mr. Tudor, by the insertion after the word “settled”, in line 42, of the words “at the end of the voyage or engagement”.

Clause, as amended, agreed to.

Clauses 78 and 79 agreed to.

Clause 80 amended, on the motion of Mr. Tudor, by the omission from line 38 of the word “such”.

Clause, as amended, agreed to.

Clause 81 debated and agreed to.

Clauses 82 and 83 agreed to.

Clause 84 debated and agreed to.

Clauses 85 and 86 agreed to.

Clause 87, after debate, amended, on the motion of Mr. Tudor, by the omission of the last word of the clause—“superintendent”—and the insertion of the words “proper authority” in place thereof.

Clause, as amended, agreed to.

Clauses 88 to 91 agreed to.

Clause 92 amended, on the motion of Mr. Tudor, by the omission from line 4 of the words “this Act” and the insertion in place thereof of the word “law”.

Clause, as amended, agreed to.

Clause 93 debated and agreed to.

Clauses 94 to 98 agreed to.

Clause 99, after debate, amended, on the motion of Mr. Tudor, by the insertion in column 1 after the word “Desertion” of the paragraph “Failure or refusal without reasonable cause to join the ship or proceed to sea in the ship” and by the insertion, in column 2 after line 33, of the paragraph “Penalty of Twenty pounds”.

Clause further amended, on the motion of Mr. W. Elliot Johnson, by the insertion after the word “duty” in the first column, line 35, of the words “without reasonable cause”.

Clause, as amended, agreed to.

Clauses 100, 101, and 102 agreed to.

Clause 103 omitted from the Bill.

Clauses 104 and 105 agreed to.

Clause 106 amended, on the motion of Mr. Tudor, by the omission from line 24 of the words “for desertion”; by the insertion after the word “ship” in line 25 of the words “or who has failed or refused without reasonable cause to join his ship or proceed to sea”; and by the omission from line 34 of the word “deserter” and the insertion of the word “seaman” in place thereof.

Clause, as amended, agreed to.

Clauses 107, 108, and 109 agreed to.

Clause 110 debated and agreed to.

Clauses 111 to 116 agreed to.

Clause 117 amended, on the motion of Mr. Tudor, by the insertion after the word “ship”, in line 7, of the words “registered in Australia or engaged in the coasting trade”.

Clause, as amended, agreed to.

Clauses 118, 119, and 120 agreed to.

Clause 121 debated and, on the motion of Mr. Tudor, amended by the omission from line 47 of the word “ten” and the insertion of the word “twelve” in place thereof.

Clause, as amended, further debated, and agreed to.

Clause 122 debated and agreed to.

Clause 123 agreed to.

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Clause 124 debated and agreed to.

Clauses 125 to 131 agreed to.

Clause 132, on the motion of Mr. Tudor, amended by the omission of sub-clause (2.).

Clause, as amended, debated and agreed to.

Clause 133 debated and, on the motion of Mr. Tudor, amended by the insertion, after the word "inspector" in line 8, page 36, of the words "or by an approved authority".

Clause, as amended, agreed to.

Clause 134 agreed to.

Clause 135 debated—

On the motion of Mr. Tudor, the clause was amended by the insertion of the word "; or" in line 37 after the word "engine-room"; and by the insertion after paragraph (c) of the following new paragraph:—

"(d) in the case of river and bay ships—provide for the officers such accommodation as is prescribed".

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

"(e) in the case of vessels trading exclusively in tropical or sub-tropical waters no living quarters of officers or men shall be situated in alley ways alongside the engine-room or ship's galley".

Debate ensued.

Amendment negatived.

On the motion of Mr. Tudor, sub-clause (2) was omitted from the clause.

Clause, as amended, debated and agreed to.

Clause 136 amended, on the motion of Mr. Tudor, by the insertion after sub-clause (3.) of the following new sub-clause:—

"(3A.) Sub-sections (2.) and (3.) of this section shall not apply to river and bay ships, but the owner of every such ship shall make such provision as is prescribed for accommodation for the taking of meals by the seamen and apprentices, and for their sanitary and lavatory accommodation, including bath-rooms."

Clause, as amended, agreed to.

Clauses 137 and 138 agreed to.

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

The House resumed; Mr. Poynton reported accordingly.

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

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

Question—put and passed.

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

MEMBERS PRESENT.—All Members were present (at some time during the sitting) except—Mr. Austey, Mr. Finlayson, Mr. Fowler, Mr. Frazer, Mr. Hans Irvine*, Mr. Jensen, Sir William Lyne, Mr. McDougall, Mr. Parker Moloney, Mr. Sampson, Mr. Bruce Smith, Mr. Spence, and Mr. Thomas.

* On leave.

WALTER A. GALE,

Clerk Assistant,

for Clerk of the House of Representatives.