THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA.

No. 70.

VOTES AND PROCEEDINGS

OF THE

HOUSE OF REPRESENTATIVES.

THURSDAY, 9TH SEPTEMBER, 1920.

- 1. The House met, at eleven o'clock a.m., pursuant to adjournment.—Mr. Speaker took the Chair, and read Prayers.
- 2. Parliamentary Standing Committee on Public Works, brought up the following Report from the Committee—

Report, together with Minutes of Evidence and Plans, relating to the proposed Mobilization and Vehicle Stores, Midland Junction, Western Australia.

Ordered—That the Paper be printed.

- 3. Paper.—The following Paper was presented, pursuant to Statute—
 - Public Service Act-Appointment of G. D. Williams, Department of Trade and Customs.
- 4. Arbitration (Public Service) 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.)

Clause 12—

Debate resumed on the following amendment by Mr. McGrath:—That the following words be added to sub-clause (1.):—"Provided that he shall not determine on any rate of wage which is less than the basic wage as ascertained by the Basic Wage Commission or other body duly constituted for the purpose of fixing a basic wage."

Question—That the words proposed to be added be so added—put.

The Committee divided—

Ayes	s, 19.	. Noes	s , 34.
Ayes Mr. Blakeley Mr. Charlton Mr. Cunningham Mr. Fenton Mr. Gabb Mr. Lavelle Mr. Lazzarini Mr. Mahony Mr. Makin Mr. Mathews Mr. McGrath	Mr. Parker Moloney Mr. Nicholls Mr. Ryan Mr. Stewart Mr. Tudor Mr. West Tellers: Mr. Riley Mr. Watkins	Mr. Atkinson Mr. Bamford Mr. Bayley Mr. Bell Mr. Bruce Mr. Donald Cameron Mr. Austin Chapman Sir Joseph Cook Mr. Robert Cook Mr. Corser Mr. Fleming Mr. R. W. Foster Mr. Gibson Mr. Gregory Mr. Groom Mr. Hughes	Mr. Lamond Mr. Lister Mr. Mackay Mr. Marks Mr. Marr Mr. Maxwell Mr. McWilliams Mr. Poynton Mr. Prowse Mr. Rodgers Sir Granville Ryrie Mr. Laird Smith Mr. Wienholt Mr. Wise
	`	Mr. Hugnes Mr. Jowett	Mr. Burchell Mr. Story

And so it was negatived.

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Mr. Tudor moved, as an amendment, That the word "such" (second occurring) (line 37) and the words "as the Arbitrator thinks necessary," (lines 38 and 39) be omitted from sub-clause (5.).

Debate ensued.

Amendment temporarily withdrawn.

Mr. Parker Moloney moved, as an amendment, That the following words be added to subclause (1.):—"but in arriving at what is a living wage he shall have regard to what amount is necessary to keep a married man, his wife, and three children in reasonable comfort."

Debate ensued.

Question—That the words proposed to be added be so added—put.

The Committee divided-

Ау	es, 18.	Noes	, 34.
Mr. Blakeley Mr. Brennan Mr. Charlton Mr. Cunningham Mr. Fenton Mr. Gabb Mr. Lavelle	es, 18. Mr. Parker Moloney Mr. Nicholls Mr. Ryan Mr. Stewart Mr. Tudor Mr. West	Mr. Atkinson Mr. Bamford Mr. Bayley Mr. Bell Mr. Donald Cameron Mr. Austin Chapman Sir Joseph Cook	Mr. Lamond Mr. Lister Mr. Mackay Mr. Marks Mr. Marr Mr. Marr Mr. Maxwell Mr. McWilliams
Mr. Lazzarini Mr. Makin Mr. W. Maloney	Tellers: Mr. Mahony Mr. Riley	Mr. Robert Cook Mr. Corser Mr. Fleming Mr. R. W. Foster Mr. Gibson Mr. Greene Mr. Gregory Mr. Groom Mr. Hill Mr. Hughes Mr. Jowett	Mr. Earle Page Mr. Poynton Mr. Rodgers Sir Granville Ryrie Mr. Laird Smith Mr. Wienholt Mr. Wise Tellers: Mr. Burchell Mr. Story

And so it was negatived.

Mr. Lavelle moved, as an amendment, That the following words be added to sub-clause (1.):—
"Provided that in determining such wages rates of pay or conditions of employment he shall not discriminate between married and single men on account of marriage only."

Debate ensued.

Progress to be reported.

The House resumed; Mr. Chanter reported accordingly. Resolved—That the House will, at a later hour this day, again resolve itself into the said Committee.

5. Declaration of Arbitration (Public Service) Bill as Urgent Bill—Limitation of Debate.—
Mr. Hughes having declared that the Arbitration (Public Service) Bill (1920) was an Urgent Bill—
Question—That the Bill be considered an Urgent Bill—put.

The House divided-

Ayes, 32.

Noes, 18.

Mr. Blakeley	Mr. Parker Moloney
Mr. Brennan	Mr. Nicholls
Mr. Charlton	Mr. Ryan
Mr. Cunningham	Mr. Tudor
Mr. Gabb	Mr. Watkins
Mr. Lavelle	Mr. West
Mr. Lazzarini	
Mr. Mahony	Tellers:
Mr. Makin	Mr. Fenton
Mr. Mathews	Mr. Riley
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Mr. Groom moved, That the time allotted in connexion with the Bill be as follows:-

(a) For the completion of the remainder of the Committee stage of the Bill until 6 p.m. this day.

(b) For the consideration of the remaining stages of the Bill until 6.25 p.m. this day.

Debate ensued.

Question-put.

The House divided-

Ayes,	39.	Noe	es, 20.
 Mr. Atkinson Mr. Bamford Mr. Bayley Mr. Bell Sir Robert Best Mr. Donald Cameron Mr. Chanter Sir Joseph Cook Mr. Robert Cook Mr. Corser Mr. Fleming Mr. R. W. Foster Mr. Fowler Mr. Gibson Mr. Greene Mr. Gregory Mr. Groom Mr. Higgs Mr. Hill Mr. Hughes Mr. Jackson and so it was resolved in	Mr. Lamond Mr. Lister Mr. Mackay Mr. Marks Mr. Marr Mr. Maxwell Mr. McWilliams Mr. Earle Page Mr. Poynton Mr. Prowse Mr. Rodgers Sir Granville Ryrie Mr. Laird Smith Mr. Stewart Mr. Wienholt Mr. Wise Tellers: Mr. Burchell Mr. Story	Mr. Blakeley Mr. Brennan Mr. Charlton Mr. Fenton Mr. Gabb Mr. Lavelle Mr. Lazzarini Mr. Makin Mr. W. Maloney Mr. Mathews Mr. McDonald	Mr. McGrath Mr. Parker Moloncy Mr. Nicholls Mr. Riley Mr. Ryan Mr. Tudor Mr. West Tellers: Mr. Mahony Mr. Watkins

6. Arbitration (Public Service) 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 again resolved itself into a Committee of the Whole.

(In the Committee.)

Clause 12 (continued)—

Question—That the words proposed to be added to sub-clause (1.) of clause 12 be so added [see end of Entry No. 4 ante]—put—

Noes 38

The Committee divided-

Ayes	, 20.	140es, 36),
Mr. Blakeley Mr. Brennan Mr. Charlton Mr. Fenton Mr. Gabb Mr. Lavelle Mr. Lazzarini Mr. Makin Mr. W. Maloney Mr. Mathews Mr. McDonald	Mr. McGrath Mr. Parker Moloney Mr. Nicholls Mr. Ryan Mr. Tudor Mr. Watkins Mr. West Tellers: Mr. Mahony Mr. Riley	Mr. Atkinson Mr. Bamford Mr. Bayley Mr. Bell Sir Robert Best Mr. Donald Cameron Sir Joseph Cook Mr. Robert Cook Mr. Corser Mr. Fleming Mr. R. W. Foster Mr. Fowler Mr. Gibson Mr. Greene Mr. Gregory Mr. Groom Mr. Higgs Mr. Hill Mr. Hughes Mr. Jackson	Mr. Lamond Mr. Lister Mr. Mackay Mr. Marks Mr. Marr Mr. Maxwell Mr. McWilliams Mr. Earle Page Mr. Poynton Mr. Prowse Mr. Rodgers Sir Granville Ryrie Mr. Laird Smith Mr. Stewart Mr. Wienholt Mr. Wise Tellers: Mr. Burchell Mr. Story

And so it was negatived.

Mr. Tudor moved, as an amendment, (previously temporarily withdrawn, see Entry No. 4 ante)—That the word "such" (second occurring) (line 37) and the words "as the Arbitrator thinks necessary" (lines 38 and 39) be omitted.

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

9th September, 1920.

The Committee divided-

Ayes,	33.	Noes,	19.
Mr. Bamford Mr. Bayley Mr. Bell Sir Robert Best Mr. Donald Cameron Sir Joseph Cook Mr. Robert Cook Mr. Corser Mr. Fleming Mr. R. W. Foster Mr. Fowler Mr. Francis Mr. Greene Mr. Gregory Mr. Groom Mr. Higgs Mr. Hill Mr. Hughes	Mr. Jackson Mr. Lamond Mr. Lister Mr. Mackay Mr. Marks Mr. Marr Mr. Maxwell Mr. Earle Page Mr. Poynton Mr. Prowse Mr. Rodgers Mr. Laird Smith Mr. Wienholt Tellers: Mr. Burchell Mr. Story	Mr. Brennan Mr. Charlton Mr. Cunningham Mr. Gabb Mr. Lavelle Mr. Lazzarini Mr. Makin Mr. W. Maloney Mr. Mathews Mr. McGrath Mr. Parker Moloncy	Mr. Nicholls Mr. Ryan Mr. Stewart Mr. Tudor Mr. Watkins Mr. West Tellers: Mr. Fenton Mr. Mahony

And so it was resolved in the affirmative.

Clause agreed to.

Clause 13-

Mr. Groom moved, as an amendment, That the following sub-clauses be added to the clause:-

- "(2.) The Arbitrator shall, at the request of the organization which has submitted a claim or application, or of the Commissioner, or of the Minister of any Department of State who has submitted an application or who is affected by the claim or application of the organization, and may, without such request, appoint an assessor or assessors to advise him in relation to the claim or application, and the assessor or assessors shall discharge such duties as are directed by the Arbitrator or as are prescribed.
- "(3.) One of the assessors shall be a person nominated by the organization, and the other a person nominated jointly by the Commissioner and the Minister of each Department of State affected by the claim or application, or, in default of such nomination, appointed by the Governor-General."

Question—put and passed.

Clause, as amended, agreed to.

Clause 14—

Clause amended, on the motion of Mr. Groom, by the omission of the words "of which he has cognizance" (lines 21 and 22) and the insertion of the words "submitted to him" in place thereof; and by the addition of the words "and to give an interpretation of any determination" to paragraph (a).

Clause further amended, on the motion of Mr. Brennan, after debate, by the addition to paragraph (c) of the words "such evidence unless otherwise ordered by the Arbitrator for reasons affecting the public interests to be taken in public."

Clause further amended, on the motion of Mr. Groom, after debate, by the addition to paragraph (e) of the following proviso:—

"Provided that before any common rule is so declared, the Arbitrator shall, by notification published in the Gazette and in such other publications, if any, as the Arbitrator directs specifying the matter in relation to which it is proposed to declare a common rule, 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 Arbitrator; and the Arbitrator shall, in manner prescribed, hear all such persons and organizations so appearing or represented; and".

Clause, as amended, agreed to.

Clauses 15 and 16 agreed to.

Clause 17—

Mr. Nicholls moved, as an amendment, That the following paragraph be added to the clause:-

"(b) the Arbitrator shall award such expenses as he considers have been necessarily incurred by witnesses in presenting evidence to assist him in arriving at any determination."

Debate ensued.

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

The	Committee	divided—
		Aves. 16.

Mr. Blakeley	Mr. Nicholls
Mr. Brennan	Mr. Ryan
Mr. Cunningham	Mr. Tudor
Mr. Fenton	Mr. Watkins
Mr. Gabb	Mr. West

Mr. Lavelle Tellers: Mr. Lazzarini Mr. W. Maloney Mr. Mahony Mr. Parker Moloney Mr. Mathews Noes, 30.

Mr. Bamford	Mr. Lister
Mr. Bayley	Mr. Mackay
Mr. Bell	Mr. Marks
Mr. Donald Cameron	Mr. Marr
Mr. Robert Cook	Mr. Maxwell
Mr. Corser	Mr. Earle Page
Mr. Fleming	Mr. Poynton
Mr. R. W. Foster	Mr. Prowse
Mr. Fowler	Mr. Rodgers
Mr. Gibson	Mr. Laird Smith
Mr. Greene	Mr. Wienholt
Mr. Gregory	Mr. Wise
Mr. Groom	
Mr. Hill	Tellers:
Mr. Hughes	Mr. Burchell

Mr. Story

And so it was negatived. Clause agreed to. Clause 18 debated and agreed to. Clause 19 agreed to. Clause 20 debated and agreed to. Clauses 21 and 22 agreed to.

New Clauses :-

Mr. Groom moved, That the following new clause be added to the Bill:-

14A. The Arbitrator may refer any claim or application submitted to him Reference of under this Act, or any matter arising out of the claim or application, to a person for report. authorized by the Governor-General in that behalf, for investigation and report, and may delegate to that person such of his powers (other than the power to determine the claim or application) as he deems desirable; and the Arbitrator may, on the report, with or without hearing further evidence or argument, or both, determine the claim or application.

Mr. Jackson

Question—put and passed.

Mr. Parker Moloney moved, That the following new clause be added to the Bill:-

23.—(1.) The living wage on its declaration shall apply automatically to Living wage to apply to awards, &c. awards and agreements varying all wages and salaries in such by not less than the

amount the living wage may have been varied. (2.) The living wage shall be based on the figures of the Commonwealth Statistician relating to the purchasing power of money to be declared on the 31st March, 30th June, 30th September, and 31st December in each year, such living wage to apply to all adult members of a Commonwealth Public Service organization registered under the Commonwealth Conciliation and Arbitration Act.

Proposed new clause, by leave, divided into two clauses.

Debate continued on proposed clause 23.—(1.).

Question—That the proposed new clause 23.—(1.) be added to the Bill—put and negatived.

Proposed clause 23.—(2.) not proceeded with.

Mr. Cunningham moved, That the following new clause be added to the Bill :-

24. Notwithstanding anything contained in this Act any organization of such employees may avail themselves of the jurisdiction of the Commonwealth Court of Court of Conciliation and Arbitration under the provisions of the Arbitration (Public Conciliation and Arbitration.) Service) Act of 1911.

Debate ensued. Question—put.

The Committee divided-

Ayes,	10.
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Mr. Brennan Mr. Charlton Mr. Cunningham Mr. Fenton Mr. Gabb Mr. Lavelle	Mr. Parker Moloney Mr. Nicholls Mr. Riley Mr. Ryan Mr. Tudor Mr. West
Mr. Lazzarini Mr. W. Maloney Mr. Mathews Mr. McDonald	Tellers: Mr. Mahony Mr. Watkins

Noes, 39.			
Mr. Atkinson	Mr. Jackson		
Mr. Bamford	Mr. Jowett		
Mr. Bayley	Mr. Lamond		
Mr. Bell	Mr. Lister		
Sir Robert Best	Mr. Mackay		
Mr. Donald Cameron	Mr. Marks		
Mr. Austin Chapman	Mr. Marr		
Sir Joseph Cook	Mr. Maxwell		
Mr. Robert Cook	Mr. McWilliams		
Mr. Corser	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. Stewart		
Mr. Greene	Mr. Wise		
Mr. Gregory			
Mr. Groom	Tollone.		

Tellers: Mr. Higgs

Mr. Hill Mr. Burchell Mr. Hughes Mr. Story

9th September, 1920.

Mr. Cunningham moved, That the following new clause be added to the Bill :-

Representatives of organizations may take proceedings for breaches of awards.

Debate ensued.

Question-put.

The Committee divided—

Ayes, 17.

Noes, 35.

Mr. Brennan Mr. Charlton Mr. Cunningham Mr. Fenton Mr. Gabb Mr. Lavelle Mr. Lazzarini Mr. W. Maloney Mr. Mathews Mr. McDonald	Mr. Parker Moloney Mr. Nicholls Mr. Ryan Mr. Tudor Mr. West Tellers: Mr. Riley Mr. Watkins	Mr. Austin Chapman Sir Joseph Cook Mr. Robert Cook Mr. Corser Mr. Fleming Mr. R. W. Foster Mr. Fowler	Mr. Marr Mr. Maxwell Mr. Poynton Mr. Rodgers Sir Granville Ryrie Mr. Laird Smith
		Mr. Francis	Mr. Wise
		Mr. Gibson	
		Mr. Greene	Tellers:
		Mr. Gregory	M. D. bil
•			Mr. Burchell
		Mr. Higgs	Mr. Story

And so it was negatived.

Mr. Lamond moved, That the following new clause be added to the Bill:-

Any employee who is not eligible to join an organization may personally submit to the Arbitrator a matter relating to his salary, wages, rates of pay, or terms or conditions of service or employment.

Debate ensued.

Question-put and negatived.

Mr. Brennan moved, That the following new clause be added to the Bill:-

No employee shall be dismissed or injured in his employment or have his position altered to his prejudice by reason of the circumstance that the employee—

(a) is an officer or member of an organization or of an association that has applied to be registered as an organization, or

(b) is entitled to the benefit of an industrial agreement or an award; or

(c) has appeared as a witness or has given any evidence in a proceeding under this Act.

Penalty: Fifty pounds.

In any proceeding for an offence against this section if all the facts and circumstances constituting the offence other than the reason for the defendant's action, are proved, it shall be upon the defendant to prove that he was not actuated by the reason alleged in the charge.

Debate ensued.

Question-put.

The Committee divided—

Ayes, 18.

Noes, 35.

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Mr. Brennan Mr. Charlton Mr. Cunningham Mr. Fenton Mr. Gabb Mr. Hill Mr. Lavello Mr. Lazzarini Mr. W. Maloney Mr. Mathews	Mr. McDonald Mr. Parker Moloney Mr. Nicholls Mr. Ryan Mr. Tudor Mr. West Tellers: Mr. Riley Mr. Watkins	Mr. Atkinson Mr. Bamford Mr. Bayley Mr. Bell Sir Robert Best Mr. Donald Cameron Mr. Austin Chapman Sir Joseph Cook Mr. Robert Cook Mr. Corser Mr. Fleming Mr. R. W. Foster Mr. Fowler Mr. Francis Mr. Gibson Mr. Greene Mr. Gregory Mr. Groom Mr. Higgs	Mr. Hughes Mr. Jackson Mr. Jowett Mr. Lamond Mr. Lister Mr. Mackay Mr. Marr Mr. Maxwell Mr. McWilliams Mr. Poynton Mr. Rodgers Sir Granville Ryrie Mr. Laird Smith Mr. Wise Tellers: Mr. Burchell Mr. Story

And so it was negatived.

Title agreed to.

Bill to be reported with amendments.

The House resumed; Mr. Chanter reported accordingly.

On the motion of Mr. Groom, the House adopted the Report.

9th September, 1920.

Mr. Groom moved, That the Bill be now read a third time.

Debate ensued.

Question-put.

The House divided-

Ayes, 36.		Noes, 16.		
Mr. Atkinson Mr. Bamford Mr. Bell Sir Robert Best Mr. Bruce Mr. Donald Cameron Mr. Chanter Mr. Austin Chapman Sir Joseph Cook Mr. Robert Cook Mr. Corser Mr. Fleming Mr. R. W. Foster Mr. Gibson Mr. Greene Mr. Gregory	Mr. Marr	Mr. Brennan Mr. Charlton Mr. Cunningham Mr. Gabb Mr. Lavelle Mr. Lazzarini Mr. W. Maloney Mr. Mathews Mr. Parker Moloney	Mr. Nicholls Mr. Ryan Mr. Tudor Mr. Watkins Mr. West Tellers: Mr. Fenton Mr. Riley	
Mr. Groom Mr. Higgs Mr. Hill	Tellers: Mr. Burchell Mr. Story			

Mr. Hill Mr. Story

And so it was resolved in the affirmative.—Bill read a third time.

7. Paper.—Mr. Speaker presented, pursuant to Statute—

Commonwealth Bank Act—Commonwealth Bank of Australia—Aggregate Balance-sheet at 30th June, 1920; together with Auditor-General's Report thereon.

- 8. MINISTERIAL STATEMENT—DEFENCE EXPENDITURE.—Mr. Hughes, by leave, made a Ministerial Statement with reference to the proposed expenditure in connexion with the Defence Forces of the Commonwealth.
- 9. WAR SERVICE HOMES BILL (1920).—The Order of the Day having been read for the second reading—Mr. Poynton moved, That the Bill be now read a second time.

Mr. Tudor moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and passed.

Ordered—That the resumption of the debate be made an Order of the Day for to-morrow.

10. Adjournment.—Sir Joseph Cook moved, That the House do now adjourn. Question—put and passed.

And then the House, at four minutes to ten 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. Blundell, Mr. Bowden*, Mr. J. H. Catts, Mr. Hay, Mr. Livingston, Mr. Mahon, Mr. James Page*, and Mr. Watt*.

* On leave.

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