

1920.

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA.

No. 84.

VOTES AND PROCEEDINGS

OF THE

HOUSE OF REPRESENTATIVES.

TUESDAY, 5TH OCTOBER, 1920.

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 SENATE.—LOAN BILL (1920) [£4,286,490].—Mr. Speaker announced the receipt of the following Message from the Senate:—

MR. SPEAKER,

Message No. 53.

The Senate returns to the House of Representatives the Bill for "*An Act to authorize the Raising and Expending of the sum of Four million two hundred and eighty-six thousand four hundred and ninety pounds for certain purposes,*" to which it has agreed without amendment.

The Senate,
Melbourne, 1st October, 1920.

THOS. GIVENS,
President.

3. PAPERS.—The following Papers were presented, pursuant to Statute—
Railways—Report, with Appendices, on the Commonwealth Railways for 1919–20.
Ordered to be printed.
Defence Act—Regulations Amended—Statutory Rules 1920, Nos. 161, 164, 165.
Public Service Act—Regulations Amended—Statutory Rules 1920, Nos. 153, 169.
War Precautions Act—Regulations Amended—Statutory Rules 1920, No. 168.
4. NAVIGATION 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.)**New Clauses—continued.*

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

"80A. The Principal Act is amended by the insertion of the following new clause:—

"285A. No Asiatic or other coloured labour shall be allowed to be employed on any vessel engaged in the coasting trade."

Debate ensued.

Question—put.

F.255.

5th October, 1920.

The Committee divided—

Ayes, 10.		Noes, 27.	
Mr. Anstey	Mr. Tudor	Mr. Bamford	Mr. Lister
Mr. Blakeley	Mr. Watkins	Sir Robert Best	Mr. Livingston
Mr. Charlton		Mr. Blundell	Mr. Mackay
Mr. Lazzarini	<i>Tellers:</i>	Mr. Bruce	Mr. Marks
Mr. McDonald	Mr. Mathews	Sir Joseph Cook	Mr. Marr
Mr. Stewart	Mr. Riley	Mr. Corser	Mr. Maxwell
		Mr. Fleming	Mr. Rodgers
		Mr. R. W. Foster	Sir Granville Ryrie
		Mr. Greene	Mr. Laird Smith
		Mr. Gregory	Mr. Wise
		Mr. Groom	
		Mr. Higgs	<i>Tellers:</i>
		Mr. Hughes	Mr. Burchell
		Mr. Jackson	Mr. Story
		Mr. Lamond	

And so it was negatived.

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

“Schedule II. of the Principal Act is amended by omitting from lines 2 and 3 of the paragraph headed ‘Firemen and Trimmers’ the words ‘and a half.’”

Debate ensued.

Question—put.

The Committee divided—

Ayes, 14.		Noes, 22.	
Mr. Blakeley	Mr. James Page	Mr. Bamford	Mr. Livingston
Mr. Blundell	Mr. Stewart	Sir Robert Best	Mr. Mackay
Mr. Charlton	Mr. Tudor	Mr. Bruce	Mr. Marks
Mr. Gibson	Mr. Watkins	Sir Joseph Cook	Mr. Marr
Mr. Hill		Mr. Corser	Mr. Rodgers
Mr. Lazzarini	<i>Tellers:</i>	Mr. Fleming	Sir Granville Ryrie
Mr. Maxwell	Mr. Mathews	Mr. R. W. Foster	Mr. Laird Smith
Mr. McDonald	Mr. Riley	Mr. Greene	Mr. Wise
		Mr. Groom	
		Mr. Higgs	<i>Tellers:</i>
		Mr. Hughes	Mr. Burchell
		Mr. Jackson	Mr. Story

And so it was negatived.

Title agreed to.

Bill to be reported with amendments.

The House resumed; Mr Chanter reported accordingly.

Mr. Greene moved, That the Bill be now recommitted to a Committee of the whole House for the reconsideration of clauses 8, 10, 23, 34, 35, and 64.

Mr. Watkins moved, as an amendment, That clause 13 be added to the clauses to be recommitted.

Debate ensued.

Amendment negatived.

Original question—put and passed.

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

(In the Committee.)

On the motion of Mr. Greene, after debate, the following amendments were made :—

Page 2, clause 8, line 24, after “amended” insert :—

“(aa) by omitting from the definition of ‘limited coast-trade ship’ the words ‘(not exceeding a radius of four hundred miles)’ and inserting in their stead the words ‘(not exceeding the limits for home-trade or coast-trade ships, as the case may be, fixed for the port, at the commencement of this section, by any State law)’;”

“(ab) by adding at the end of the definition of ‘River and bay ship’ the words ‘and also includes any ship or class of ships, specified by the Minister by notice in the *Gazette*, which trades exclusively within the limits of a specified port, bay or river and within a radius of three nautical miles seaward from the entrance of the port, bay or river :’;”

Page 3, clause 10, line 20, after “amended” insert :—

“(a) by inserting after the words ‘second class’ (first occurring) the words ‘First class motor engineer
Second class motor engineer’; and

(b)”.

5th October, 1920.

On the motion of Mr. Greene, the following amendments were made:—

Page 5, omit clause 23, insert the following clause:—

“ 23. Section eighty-eight of the Principal Act is repealed and the following section inserted in its stead:—

‘ 88.—(1) If any seaman, employed on a ship registered in Australia, is dis- Compensation
for premature
discharge.

charged—

- (a) elsewhere than at the port of discharge specified in his agreement ;
- (b) otherwise than in accordance with the terms of his agreement or the provisions of this Act ;
- (c) without fault on his part justifying his discharge ; and
- (d) without his consent,

the provisions of sub-sections (5.) and (6.) of section fifty of this Act shall apply as if the seaman had been discharged in pursuance of sub-section (3.) of that section.’”

Page 9, omit clause 34, insert the following clause:—

“ 34. Section one hundred and thirty-six of the Principal Act is amended— Accommodation
for seamen and
apprentices.

(a) by inserting after paragraph (c) of sub-section (1) the following para-
graph:—

- (cc) if such is required by the medical inspector, regard being had to the construction and situation of the berthing accommodation provided and to the trade in which the ship is employed or likely to be employed, such means of artificial heating and mechanical ventilation as are, in his opinion, necessary for the preservation of the health and comfort of the crew ;
- (b) by omitting from paragraph (f) of sub-section (1.) the words ‘ three thousand cubic feet’, and inserting in their stead the words ‘ the prescribed quantity ’ ;
- (c) by inserting in sub-section (3.) after the word ‘ bathrooms ’, the words ‘ and facilities for washing clothes ’ ;
- (d) by inserting in sub-section (3.), after the word ‘ water ’, the words ‘, as prescribed,’ ;
- (e) by omitting from sub-section (3.) the words ‘ employed in connexion with the engines of the ship ’ ;
- (f) by inserting in sub-section (4.), after the words ‘ shall not apply to ’, the words ‘ limited coast-trade ships of less than three hundred tons gross registered tonnage or ’ ; and
- (g) by inserting at the end of sub-section (5.) the following words:—
‘ and the seaman or apprentice may recover any amount due under this sub-section in the same manner as if that amount were wages.’”

Page 9, clause 35, line 31, after “ amended ” insert “—(a)”.

“ ” line 32, after “ Division ” insert—

“ ; and (b) by omitting the word and letters ‘, (f), and (g)’ and inserting in their stead the word and letter ‘ and (f)’.”

Page 15, clause 64, line 18, after “ Australia ” insert “, or which comes into a port in Australia from a port outside Australia,”.

Page 15, clause 64, line 22, after “ sea ” insert “, or, in the case of a vessel carrying more than twelve passengers, which comes into a port in Australia from a port outside Australia.”.

Bill to be further reported with further amendments.

The House resumed ; Mr. Bamford reported accordingly.

Mr. Greene moved, pursuant to contingent notice, That the Standing Orders be suspended, to enable the remaining stages to be passed without delay.

Question—put and passed.

On the motion of Mr. Greene, the House adopted the Reports, and the Bill was read a third time.

5. PUBLIC SERVICE BILL (1920).—The Order of the Day having been read for the second reading—

Mr. Groom 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.

6. CONCILIATION AND ARBITRATION BILL (1920).—SENATE'S AMENDMENTS.—The Order of the Day having been read for the consideration in Committee of the whole House of the Amendments made by the Senate in this Bill—Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole.

(In the Committee.)

The Committee proceeded to consider the Amendments, which are as follow:—

SCHEDULE OF THE AMENDMENTS MADE BY THE SENATE.

No. 1.—Page 1, clause 2, leave out the following paragraph:—

“(a) by inserting in the definition of ‘ Employer ’, after the word ‘ industry ’, the words ‘ and includes a Club ’ ;”.

5th October, 1920.

No. 2.—Page 3, clause 7, lines 4 and 5, leave out “*Commonwealth Conciliation and Arbitration Act 1904–1918*”, insert “Principal Act”.

No. 3.—Page 4, clause 9, line 20, after “claim” insert “and the taking of evidence in the Court”.

No. 4.—Page 5, clause 21, after “amended”, in line 28, insert—

“(a1) by inserting before the words ‘A County, District or Local Court’ the words ‘The High Court or a Justice thereof or’”.

No. 5.—Page 5, after clause 21 insert the following new clause:—

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

“58B. The rules of an organization registered under this Act and the officials of such organization shall not during the currency of an award in the industry concerned prevent or impede any members of such organization from entering into written agreements in accordance with such award at any time prior to the commencement of service.”

No. 6.—Pages 5 and 6, clause 22, leave out the clause.

Amendment No. 1 disagreed to, on the motion of Mr. Groom.

Amendments Nos. 2, 3, and 4 agreed to, on the motion of Mr. Groom.

Mr. Groom moved, That Amendment No. 5 be agreed to.

Debate ensued.

Question—put.

The Committee divided—

Ayes, 22.		Noes, 8.	
Mr. Bruce	Mr. Mackay	Mr. Bamford	Mr. Tudor
Sir Joseph Cook	Mr. Marks	Mr. Blundell	
Mr. Robert Cook	Mr. Marr	Mr. Lazzarini	<i>Tellers:</i>
Mr. Corser	Mr. Rodgers	Mr. Mathews	Mr. Blakeley
Mr. Fleming	Sir Granville Ryrie	Mr. Riley	Mr. Charlton
Mr. R. W. Foster	Mr. Laird Smith		
Mr. Greene	Mr. Stewart		
Mr. Gregory	Mr. Wise		
Mr. Groom			
Mr. Jackson	<i>Tellers:</i>		
Mr. Lister	Mr. Burchell		
Mr. Livingston	Mr. Story		

And so it was resolved in the affirmative.

Amendment No. 6 disagreed to, on the motion of Mr. Groom.

Resolutions to be reported.

The House resumed; Mr. Chanter reported accordingly.

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

Mr. Groom moved, That Sir Joseph Cook, Mr. Wise, and the Mover be appointed a Committee to draw up a Reason for the House of Representatives disagreeing to Amendments Nos. 1 and 6.

Question—put and passed.

Mr. Groom, on behalf of the Committee, brought up such Reason, which was read, and is as follows:—

Reason of the House of Representatives for Disagreeing to Amendments Nos. 1 and 6 of the Senate—

As clubs are in the same position as other employers as regards the employment of employees they should not be exempt from the duties imposed by law on corporations or persons generally.

Mr. Groom moved, That the Committee’s Reason be adopted.

Question—put and passed.

7. MESSAGE FROM THE DEPUTY OF THE GOVERNOR-GENERAL.—PUBLIC SERVICE BILL (1920).—The following Message from His Excellency the Deputy of the Governor-General was presented, and the same was read by Mr. Speaker:—

W. H. IRVINE,

Deputy of the Governor-General.

Message No. 35.

In accordance with the requirements of section fifty-six of the Constitution of the Commonwealth of Australia, the Deputy of the Governor-General recommends to the House of Representatives an appropriation of the Consolidated Revenue Fund for the purposes of amendments providing for the salaries of the members of the Board of Management in a Bill for an Act to amend the *Commonwealth Public Service Act 1902–1918*.

Melbourne, 5th October, 1920.

Ordered—That the consideration of the foregoing Message, in Committee of the whole House, be made an Order of the Day for to-morrow.

5th October, 1920.

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

And then the House, at twenty-four 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. Atkinson, Mr. Bayley, Mr. Bell, Mr. Bowden*, Mr. Donald Cameron, Mr. J. H. Catts, Mr. Austin Chapman, Mr. Considine, Mr. Cunningham, Mr. Fenton, Mr. Gabb, Mr. Hay, Mr. Lavelle, Mr. Mahony, Mr. Makin, Mr. McGrath, Mr. McWilliams, Mr. Parker Moloney, Mr. Nicholls, Mr. Earle Page, Mr. Poynton, Mr. Prowse, Mr. Ryan, Mr. Watt, Mr. West, and Mr. Wienholt.

* On leave.

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