

## COMMONWEALTH OF AUSTRALIA.

No. 50.

## JOURNALS OF THE SENATE.

THURSDAY, 2ND SEPTEMBER, 1920.

1. MEETING OF SENATE.—The Senate met at three p.m., pursuant to adjournment.
2. PRAYERS.
3. PAPER.—The Minister for Defence (Senator Pearce) laid on the Table the following Paper, viz. :—  
By Command—  
Wool: Report of Central Wool Committee for Season 1919–20, and Résumé of its Administration since appointment in November, 1916.
4. QUESTIONS.—Questions on notice were answered.
5. INDUSTRIAL PEACE BILL.—Order of the Day read for the adjourned debate on the Question—That the Bill be now read a second time.  
Debate resumed.  
Question—put and passed.  
Bill read a second time.  
The Senate, according to Order, resolved itself into a Committee for the consideration of the Bill.

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In the Committee.

Clauses 1–3 agreed to.  
Clause 4 read—

The Vice-President of the Executive Council (Senator Russell) moved an amendment, viz., lines 21–23, leave out “profits, prices, cost of production relating to an industrial dispute or to any industry.”

Debate ensued.

Amendment agreed to.

Senator Russell moved a further amendment, viz., line 35, after “whole” insert “, and also includes questions as to profits, prices, and cost of production, relating to an industrial dispute or to an industry”.

Debate ensued.

Senator Elliott moved an amendment to the proposed amendment, viz., leave out “profits, prices, and”.

Debate ensued.

Amendment to proposed amendment negatived, and proposed amendment agreed to.

Clause 4, as amended, agreed to.

Clause 5 read—

Senator J. D. Millen moved an amendment, viz., sub-clause (2.), after “of” in line 5, leave out remainder of sub-clause and insert “nine members, three shall represent the employers, three shall represent the employees, and three shall be representatives of the public interest, and shall be selected by the Governor-General.”

Debate ensued.

Amendment negatived.

Senator Keating moved a further amendment, viz., line 13, leave out “recognised”.

Debate ensued.

Amendment negatived.

Clause 5 agreed to.

Clause 6 read—

Senator Foll moved an amendment, viz., line 29, leave out "a majority", insert "half the number".

Debate ensued.

Amendment, by leave, withdrawn.

Clause 6 agreed to.

Clause 7 read—

To report progress and ask leave to sit again.

The President resumed the Chair; and Senator Bakhap, from the Committee, reported that the Committee had considered the Bill and had made progress, and asked leave to sit again.

Ordered—That the Committee have leave to sit again at a later hour of the day.

At half-past six p.m. the sitting of the Senate was suspended till eight p.m.

Sitting, interrupted by the suspension, resumed.

6. **RURAL AND OTHER INDUSTRIES: PROPOSED COMMISSION OF INQUIRY.**—Order of the Day read for the adjourned debate on the Question—That, inasmuch as the financial needs of the Commonwealth arising out of the war require a substantial increase in our surplus wealth to enable it to meet its obligations, and as such increase can only follow on a corresponding increase in the output of commodities, and this in turn requires a free field having no artificial restraints or burdens; and that, in order to insure that each industry shall be given the opportunity to yield its maximum by standing on its own base, and neither leaning upon or being leaned on by any other industry, the Senate is of opinion—

- (1) That, for the purpose of determining the true standing of conditions in the industrial field and removing, as far as the power of Parliament can do, any maladjustment whereby one or more industries stand to be systematically sweated for the direct gain of other opulent industries, the Government should, as a commencement, instruct the Inter-State Commission to inquire into and report upon the following seven industries, viz., the pastoral, metalliferous mining, wheat-growing, coal-mining, shipping, textile manufacture, machinery manufacture (embracing only machinery used in agriculture and mining) in respect to—
  - (a) the general result of operations extending over the last seven-year period;
  - (b) the earnings of capital in each industry viewed as a whole;
  - (c) the scope there is (if any) in each industry for the further absorption of labour and capital, and to what extent men of small means can engage in each industry;
  - (d) the hours of labour and rates of pay per hour, per day, or per year, according to custom obtaining in each industry;
  - (e) what wages an average employee could earn in a year in each industry—working to the standard "a fair day's work for a fair day's pay";
  - (f) the amount of time lost in each year, and expressed in money, in each industry, through industrial unrest and the effect of same on that industry as well as sister industries;
  - (g) nature of each industry as affecting the lives and health of the operatives.
- (2) That, as wheat raising and metalliferous mining between them provide homes and livings of a kind for a vastly outstanding proportion of our population, the Commission should commence its investigations of them, in order that any discovered grievances found crippling or retarding their progress may be thoroughly ventilated and effective remedies applied without further delay.

On motion of Senator de Largie, the debate was adjourned.

Ordered—That the resumption of the debate be an Order of the Day for Thursday next.

7. **INDUSTRIAL PEACE BILL.**—The Senate, according to Order, resolved itself into a Committee for the further consideration of the Bill.

In the Committee.

Clause 7 agreed to.

Clauses 8–10 agreed to.

Clause 11 read—

The Vice-President of the Executive Council (Senator Russell) moved an amendment, viz., lines 35 and 36, leave out "employer or recognised organization of employees," insert "or associations".

Debate ensued.

Amendment agreed to.

Clause 11, as amended, agreed to.

Clauses 12–14 agreed to.

Clause 15 read—

On motion of Senator Russell, the following amendments were made after debate, viz.—

Line 13, leave out "organizations", insert "associations".

Lines 22 and 23, leave out "and the decision of the Tribunal on the question of relevancy shall be final".

Line 24, after "commodity", insert "by the employer (in the case of a producing industry)".

Line 24, after the words just inserted, insert "and the decision of the Tribunal on the question of relevancy shall be final".

Lines 25-31, leave out the first proviso.

At end of clause add the following new sub-clauses:—

"(2.) No evidence relating to any trade secret, or to the profits or financial position, of any witness or party, shall be disclosed except to the Tribunal or published without the consent of the person entitled to the trade secret or non-disclosure.

Penalty: Five hundred pounds or imprisonment for three months.

"(3.) All such evidence shall, if the witness or party so requests, be taken in private."

Clause 15, as amended, agreed to.

Clause 16 agreed to.

Clause 17 read—

On motion of Senator Russell, the following amendment was made, viz., line 2, after "of" insert "the".

Clause 17, as amended, agreed to.

Clause 18 read—

On motion of Senator Drake-Brockman, the following amendment was made, after debate, viz., line 8, after "person", insert "(last occurring)".

Clause 18, as amended, agreed to.

Clauses 19 and 20 agreed to.

Clause 21 debated and agreed to.

Clause 22 read—

On motion of Senator Russell, the following amendment was made, after debate, viz., after sub-clause (1.) insert the following new sub-clause:—

"(1A.) Of the members, other than the chairman, one half shall be representative of employers, and one half shall be representative of recognised organizations of employees."

Clause 22, as amended, agreed to.

Clause 23 read—

On motion of Senator Russell, the following amendment was made, viz., line 18, leave out "organizations", insert "associations".

Clause 23, as amended, agreed to.

Clause 24 agreed to.

Clause 25 debated and agreed to.

Clause 26 agreed to.

Clause 27 debated and agreed to.

Clause 28 agreed to.

On motion of Senator Russell, the following new clause was, after debate, inserted in the Bill, viz.:—

"28A. During the currency of any award or order made by a Special Tribunal or a Local Board under this Act, the Court shall not have jurisdiction to make any award or order inconsistent with any such award or order."

Court not to make award inconsistent with award of Special Tribunal.

Clauses 29 and 30 debated and agreed to.

Title agreed to.

Bill to be reported with amendments.

The President resumed the Chair; and Senator Bakhap, from the Committee, reported accordingly.

*Suspension of Standing and Sessional Orders.*—The Minister for Defence (Senator Pearce), pursuant to contingent notice, moved—That so much of the Standing and Sessional Orders be suspended as would prevent the Industrial Peace Bill being passed through its remaining stages without delay.

Question—put and passed.

Senator Russell moved—That the Report from the Committee of the Whole on the Bill be adopted.

Question—put and passed.

Senator Russell moved—That the Bill be now read a third time.

Question—put and passed.

Bill read a third time and passed.

8. NEXT MEETING OF SENATE.—The Minister for Defence (Senator Pearce) moved—That the Senate, at its rising, adjourn till Wednesday next at three p.m.

Question—put and passed.

9. ADJOURNMENT.—The Senate adjourned at forty-three minutes past nine p.m. till Wednesday next at three p.m.

10. ATTENDANCE.—Present, all the Members except Senators Adamson (on leave), Cox, Foster, R. S. Guthrie (on leave), Lynch, and E. D. Millen.

GEO. H. MONAHAN,  
Clerk of the Senate.