

COMMONWEALTH OF AUSTRALIA.

No. 55.

JOURNALS OF THE SENATE.

THURSDAY, 16TH SEPTEMBER, 1920.

1. MEETING OF SENATE.—The Senate met at three p.m., pursuant to adjournment.
2. PRAYERS.
3. PAPERS.—The Minister for Repatriation (Senator E. D. Millen) laid on the Table the following Papers, viz. :—
Pursuant to Statute—
Papua Act.—Infirm and Destitute Natives Account—Statement of the Transactions of the Trustees, 1919–20.
War Gratuity Act.—Regulations amended.—Statutory Rules 1920, No. 130.
The Vice-President of the Executive Council (Senator Russell) laid on the Table the following Papers, viz. :—
Pursuant to Statute—
Post and Telegraph Act.—Regulations amended.—Statutory Rules 1920, No. 103—No. 106—No. 117—No. 120—No. 138—No. 139—No. 140—No. 144.
4. QUESTION.—A Question on notice was answered.
5. POSTPONEMENTS.—Ordered—That the following postponements of Private Business be made :—
Order of the Day No. 1, till Thursday next.
Notice of Motion No. 1, till 30th September.
Notice of Motion No. 2, till 14th October.
6. SUPPLY BILL (No. 3) 1920–21.—*Assent—Governor-General's Message.*—The following Message from the Deputy of His Excellency the Governor-General was presented, and the same was read by Mr. President :—
W. H. IRVINE,
Deputy of the Governor-General. *Message No. 11.*
A Bill intituled "*Supply Act (No. 3) 1920–21,*" as finally passed by the Senate and the House of Representatives of the Commonwealth, having been presented to the Deputy of the Governor-General for the Royal Assent, His Excellency has, in the name and on behalf of His Majesty, assented to the said Act.
Melbourne, 16th September, 1920.
7. NORTHERN TERRITORY REPRESENTATION BILL.—Order of the Day read for the adjourned debate on the Question—That the Bill be now read a second time.
Debate resumed.
Senator Duncan moved an amendment, viz., leave out all words after "That" and insert "the Senate is of the opinion that residents of the Northern Territory who would under ordinary circumstances be entitled to a vote under the Commonwealth Electoral laws, should for that purpose be attached to the State of South Australia and accorded the right to vote at the election for Senators for that State, thus being granted representation in the Commonwealth Parliament."
On motion of Senator Foll, the debate was adjourned.
Ordered—That the resumption of the debate be an Order of the Day for a later hour of the day.
8. PAPERS.—The Minister for Repatriation (Senator E. D. Millen) laid on the Table the following Papers, viz. :—
By Command—
Estimates of Revenue and Expenditure for the year ending 30th June, 1921.
The Budget 1920–21—Papers presented by the Right Honorable Sir Joseph Cook on the occasion of opening the Budget of 1920–21.
and moved—That the Papers be printed.

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

Debate, interrupted by the suspension of the sitting, resumed.

On motion of Senator Pearce, the debate was adjourned.

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

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9. NEW GUINEA BILL.—*Message from the House of Representatives.*—The following Message from the House of Representatives was received and read :—

MR. PRESIDENT,

Message No. 39.

The House of Representatives transmits to the Senate a Bill intituled "*A Bill for an Act to make provision for the Acceptance of a Mandate for the Government of certain Territories and Islands in the Pacific Ocean, and to make immediate provision for the Civil Government of the said Territories and Islands, and for other purposes,*" with which it desires the concurrence of the Senate.

House of Representatives,
Melbourne, 16th September, 1920.

ELLIOT JOHNSON,
Speaker.

Bill read a first time, and second reading made an Order of the Day for the next day of sitting.

10. NORTHERN TERRITORY REPRESENTATION BILL.—Order of the Day read for the adjourned debate on the Question—That the Bill be now read a second time, and on the amendment moved thereto by Senator Duncan (*for amendment see above*).

Debate resumed.

Question—That the words proposed to be left out be left out—put.

The Senate divided—

Ayes, 17.

Senator Bakhap.
Benny.
Buzacott.
Earle.
Elliott.
Fairbairn.
Foll.
Givens.
Glasgow, Sir T. W.
Guthrie, J. F.
Henderson.
Keating.
Millen, J. D.
Newland.
Payne.
Pratten.

Teller.

Senator Duncan.

Noes, 6.

Senator Crawford.
Millen, E. D.
Pearce.
Russell.
Thomas.

Teller.

Senator de Largie.

And so it was resolved in the affirmative.

Question—That the words proposed to be inserted be inserted—put.

The Senate divided—

Ayes, 17.

Senator Bakhap.
Benny.
Buzacott.
Duncan.
Elliott.
Fairbairn.
Foll.
Givens.
Glasgow, Sir T. W.
Guthrie, J. F.
Henderson.
Keating.
Millen, J. D.
Newland.
Payne.
Pratten.

Teller.

Senator Earle.

Noes, 6.

Senator Crawford.
Millen, E. D.
Pearce.
Russell.
Thomas.

Teller.

Senator de Largie.

And so it was resolved in the affirmative.

Question—That the Senate is of the opinion that residents of the Northern Territory who would under ordinary circumstances be entitled to a vote under the Commonwealth Electoral laws, should for that purpose be attached to the State of South Australia and accorded the right to vote at the election for Senators for that State, thus being granted representation in the Commonwealth Parliament—put and passed.

11. COMMONWEALTH CONCILIATION AND ARBITRATION BILL.—The Senate, according to Order, resolved itself into a Committee for the further consideration of the Bill.

In the Committee.

Consideration resumed of clause 3 and the amendment moved thereto, viz., after section 6A insert the following new section :—

“6B. The Court may on the application of any party to an award make an order in the nature of a mandamus or injunction to compel compliance with the award or to restrain its breach under pain of fine not exceeding One hundred pounds or imprisonment not exceeding three months, and no person to whom such an order applies shall after written notice of the order be guilty of any contravention of the award by act or omission. In this section the term award includes order.”

Amendment, by leave, withdrawn.

Clause 3 agreed to.

Clauses 4–8 agreed to.

Clause 9 read—

On motion of the Vice-President of the Executive Council (Senator Russell), the following amendment was made, viz., page 4, line 20, after “claim” insert “and the taking of evidence in the Court”.

Clause 9, as amended, agreed to.

Clauses 10–20 agreed to.

Senator Fairbairn moved—That the following new clause be inserted to follow clause 20, viz. :—

“20A. 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.”

Debate ensued.

Question—put.

Committee divided—

Ayes, 9.

Senator Crawford.
Elliott.
Fairbairn.
Foll.
Glasgow, Sir T. W.
Keating.
Newland.
Payne.

Teller.

Senator Pratten.

Noes, 7.

Senator Buzacott.
Duncan.
Millen, E. D.
Pearce.
Russell.
Thomas.

Teller.

Senator de Largie.

Proposed new clause 20A agreed to accordingly.

Clause 21 debated and agreed to.

Clause 22 debated and negatived.

Clause 23 agreed to.

Title agreed to.

Ordered—That clause 7 be reconsidered.

Clause 7 again read—

On motion of Senator Russell, the following amendment was made, viz., page 3, lines 4 and 5, leave out “*Commonwealth Conciliation and Arbitration Act 1904–1918*”, insert “*Principal Act*”.

Clause 7, as amended, agreed to.

Bill to be reported with amendments.

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

Ordered—That the Bill, as reported, be considered to-morrow.

13. ADJOURNMENT.—The Senate adjourned at six minutes past ten p.m. till to-morrow at eleven a.m.

14. ATTENDANCE.—Present, all the Members except Senators Adamson (on leave), Bolton, Cox, Foster, R. S. Guthrie (on leave), Lynch (on leave), Plain, Reid, Rowell, Senior, and Wilson.

GEO. H. MONAHAN,
Clerk of the Senate.