Queensland

Parliamentary Debates
[Hansard]

Legislative Assembly

TUESDAY, 1 OCTOBER 1935

"2. What other Diesel engines (if any) have since been (*a*) purchased, and (*b*) manufactured, by the department for the same purpose?"

The MINISTER FOR TRANSPORT (Hon. J. Dash, *Mundingburra*) replied—

"1. Yes.

"2. (*a*) 2; (*b*) none."

NUMBERS OF "GOLDEN CASKET" AGENTS, 1929 TO 1935.

Mr. WALKER (*Cooroora*) asked the Home Secretary—

"How many Golden Casket agents were there in June of each year from and including 1929?"

The HOME SECRETARY (Hon. E. M. Hanlon, *Ithaca*) replied—

"June, 1929, 724 agents; June, 1930, 770 agents; June, 1931, 743 agents; June, 1932, 248 agents; June, 1933, 358 agents; June, 1934, 378 agents; June, 1935, 405 agents."

SCHOLARSHIP EXAMINATION CANDIDATES AND PASSES.

Mr. WALKER (*Cooroora*) asked the Secretary for Public Instruction—

"1. How many candidates sat for the last scholarship examination?

"2. How many were successful?

"3. How many secured a pass equal to (*a*) 60 per cent. but under 70 per cent., and (*b*) 70 per cent. or over?"

The SECRETARY FOR PUBLIC INSTRUCTION (Hon. F. A. Cooper, *Bremer*) replied—

"1. The number of candidates who sat for the State scholarship examination, December, 1934, was 6,555.

"2. 3,517 were successful.

"3. (*a*) 1,380 secured passes with at least 60 per cent. of possible marks, but under 70 per cent.; (*b*) 358 secured passes with 70 per cent. or over of possible marks."

JUVENILE EMPLOYMENT BUREAU.

Mr. NIMMO (*Oxley*) asked the Secretary for Public Instruction—

"What was the number of applications for employment received by the Juvenile Employment Bureau in April, May, June, and July last, respectively?"

The SECRETARY FOR PUBLIC INSTRUCTION (Hon. F. A. Cooper, *Bremer*) replied—

"The numbers of applications for employment received by the Juvenile Employment Bureau during the months of April, May, June, and July last, respectively, were—April, 528; May, 298; June, 289; July, 305."

STATE TAXATION, 1934-1935.

Mr. MOORE (*Aubigny*) asked the Treasurer—

"What was the total amount of State taxation, and the amount per head of population, for 1934-35, under the following headings:—(*a*) Taxes paid into consolidated revenue; (*b*) unemployment relief tax; (*c*) other taxes not paid into consolidated revenue?"

TUESDAY, 1 OCTOBER, 1935.

Mr. SPEAKER (Hon. G. Pollock, *Gregory*) took the chair at 10.30 a.m.

INCOME (UNEMPLOYMENT RELIEF) TAX ACTS AMENDMENT BILL.

Mr. SPEAKER announced the receipt of a message from His Excellency the Governor, intimating His Excellency's assent to this Bill.

QUESTIONS.

UNEMPLOYMENT RELIEF TAXATION AND BENEFITS.

Mr. BRAND (*Isis*) asked the Secretary for Labour and Industry—

"In reference to his answer to a question on 29th August, as he did not give the information in regard to the new rates for rations and intermittent relief work during the discussion on the amending Bill, will he now kindly supply the desired information?"

The SECRETARY FOR LABOUR AND INDUSTRY (Hon. M. P. Hynes, *Townsville*) replied—

"£230,000."

DIESEL ENGINES FOR RAILWAY DEPARTMENT.

Mr. WALKER (*Cooroora*) asked the Minister for Transport—

"1. Has the Diesel engine which was purchased from abroad last year by the Railway Department proved a success for the purpose for which it was intended?

The SECRETARY FOR PUBLIC INSTRUCTION (Hon. F. A. Cooper, *Bremer*), for the TREASURER (Hon. W. Forgan Smith, *Mackay*), replied—

"	Amount. £		Per Head. £ s. d.
"	(*a*) 3,458,201	... ...	3 12 0
	(*b*) 2,425,917	... ...	2 10 6
	(*c*) 649,864	... ...	0 13 6
Totals	6,533,982	... ...	6 16 0 "

INDUSTRIAL CONCILIATION AND ARBITRATION ACTS AMENDMENT BILL.

SECOND READING.

The SECRETARY FOR LABOUR AND INDUSTRY (Hon. M. P. Hynes, *Townsville*) [10.36 a.m.]: I move—

"That the Bill be now read a second time."

As I pointed out during the debate on a former stage, the Bill is intended to remove imperfections and anomalies, to compel the observance of awards, and generally to create confidence in the operation of the Industrial Court. The Labour Party has subscribed to the policy of arbitration for very many years. Unless the great majority of the people have confidence in the policy of arbitration and are prepared to take advantage of the existing industrial laws the legislation cannot give that measure of service that is intended.

Mr. MAHER: The Australian Railways Union is against it now.

The SECRETARY FOR LABOUR AND INDUSTRY: I know that the hon. member's party is also against it, and is opposed to any amendment of the industrial law. (Opposition dissent.) For many years the Labour Party subscribed to the policy of submitting industrial disputes to a properly constituted tribunal. In the early days the pioneers of the Labour movement fought for the right to submit their grievances to a properly constituted tribunal. They contended that in this way they would receive justice, and that it was preferable to the strike as a method of endeavouring to secure a fair share of the wealth that they were producing, and protecting their economic interests.

Immediately the Labour Party was returned to power in 1915 it commenced to give effect to its policy. The Industrial Arbitration Act that was placed on the statute-book by the Labour Party in 1916 and improved from time to time has given us an Act that is, in my opinion, the best piece of industrial legislation in existence in the world. It achieved its object of removing industrial disputes from the realms of the law of the jungle; and taking it by and large it has rendered a better service to the community than any other industrial law, whether in any other State or the Commonwealth, or even in any other part of the world. There are really only two classes in the community who are opposed to a policy of arbitration to-day, and they are the Communist Party and the party sitting opposite in this Chamber. It is rather extraordinary that the Opposition in this House should be allied with the Communists in their antagonism to the principle of arbitration. It is worthy of note that the Communist Party believes in arbitration for the settlement of international disputes; it is equally incumbent upon a Government to subscribe to that principle in industrial affairs as it is for nations and people to approve of it for the settlement of international difficulties. We believe that there is only one alternative to arbitration, and that is anarchy and revolution.

Hon. members opposite are opposed to the Bill, and they will probably adduce in support of their arguments the allegation that it will increase the cost of production and result in very great disabilities for the employers in Queensland.

Mr. MAHER: And the employees.

The SECRETARY FOR LABOUR AND INDUSTRY: And the employees, as the hon. member for West Moreton interjects. That is not so. We believe that an industrial Act, as nearly perfect as any man-made instrument can be, will tend to the maintenance of industrial peace; and the simple provisions contained in this Bill are calculated to give effect to that intention. The Labour Party is not divided on the question of arbitration. At the last convention of the party it was unanimously decided to reaffirm the policy of arbitration as set out in the platform.

Mr. MAHER: There must have been some doubts.

The SECRETARY FOR LABOUR AND INDUSTRY: The last convention represented the whole strength of the Labour movement, and the vote taken on the subject indicated that the party was unanimously in favour of it.

This Bill will give relief to certain individuals. It will to some extent do away with victimisation. The Bill makes it an offence for employers to discharge employees because of their membership of an industrial organisation or because they may ask for the rates and conditions prescribed in the industrial award governing their industry. That is a necessary provision to inspire confidence in industrialists. After all, the Industrial Conciliation and Arbitration Act is primarily designed for the protection, not of the employer, but of the wage-earner, but we have set out, of course, certain conditions designed to secure justice to the employer also. On the other hand, the Act passed by the Moore Government gave no protection to the workers. As a matter of fact, it was responsible for chaos in industry in this State. The workers lost confidence in arbitration; likewise the employers. The provisions of that statute were calculated to intimidate and victimise the workers, they imposed penalties on the unions, and it was obvious that its enactment aimed at the destruction of the union movement in Queensland. Under its operations certain classes of the community, representing 40 per cent. of the industrial workers, were industrially outlawed because they were placed outside the ambit of the Act. All Government servants, metalliferous miners, and rural employees, except shearers, together with other industrial groups, were excepted from its provisions. Such an Act could not possibly give satisfaction to anyone. The amending measures this Government have brought down from time to time are in the interests of industrial peace, and, as is

every other Act of Parliament, designed to protect the interests of the community.

It is worth mentioning at this stage that the attempt by the Moore Government to destroy the union movement was not successful. It really strengthened the unions and improved the fighting forces of every industrial organisation. It is appropriate for me to refer to the results of the Order in Council issued by that Government in 1931 exempting metalliferous miners from the operations of the Act. There was an immediate strike of the miners employed at Mount Oxide and Dobbyn for the purpose of maintaining the wage that was then being paid them. The present Government, then in opposition, made representations to the Moore Government to convene a compulsory conference of the affected parties. The reply was that the Government had no jurisdiction under the Act because the Order in Council precluded the court from intervening in the dispute with a view to bringing about a settlement. We know what happened. The railwaymen employed on the Northern railways became involved, and an extension of the strike followed, involving great loss to the community, including the employees concerned. If workers have no constitutional methods of settling their disputes and redressing their grievances, the only alternative is to resort to direct action. The present Government have from time to time closely watched the operations of the Act, and have brought down amending legislation to remove any imperfections calculated to cause industrial unrest.

It is noteworthy that under the present Act—and we hope with the passage of this Bill the present conditions of affairs will continue—there have been less industrial disturbance and fewer strikes than under the suppressive and repressive Industrial Conciliation and Arbitration Act passed by the present Leader of the Opposition.

The following table shows the number of industrial disputes, together with the number of people directly and indirectly affected, that occurred under the Act passed by the Moore Government:—

MOORE GOVERNMENT, 1929 TO 1932.

Period.	Number of Disputes.	Work People Involved.		Total.
		Directly.	Indirectly.	
1929 (2nd half-year)	4	1,691	8	1,699
1930 ..	10	1,561	70	1,631
1931 ..	15	5,079	642	5,721
1932 (1st half-year)	6	402	13	415
	35	8,733	733	9,466

During the operation of the Act introduced by the Moore Government, which it was claimed would eliminate strikes and compel people to carry on their occupations, there were thirty-five strikes affecting 9,466 persons!

The following table shows the number of industrial disputes, together with the people directly and indirectly affected, that occurred under the Act passed by the Labour Government, which repealed the Moore Government's:—

LABOUR GOVERNMENT, 1932 TO 1935.

Period.	Number of Disputes.	Work People Involved.		Total.
		Directly.	Indirectly.	
1932 (2nd half-year)	3	600	1,100	1,700
1933 ..	11	2,636	884	3,520
1934 ..	7	2,453	420	2,873
1935 ..	3	..	..	..

Those figures indicate there was a total of twenty-four strikes which affected 9,109 persons!

Mr. GODFREY MORGAN: You did not give the figures for 1935.

Mr. SPEAKER: Order!

The SECRETARY FOR LABOUR AND INDUSTRY: Those figures indicate the result of the operation of our own Act, which repealed that of the Moore Government, which was designed to destroy the union movement—the fighting force of the Labour Party in Queensland.

Mr. GODFREY MORGAN again interjecting.

Mr. SPEAKER: Order! The hon. member for Dalby shows a disinclination to obey the call of the Chair to order. I hope I shall not have to remind him again.

Mr. GODFREY MORGAN: No, you will not.

Mr. SPEAKER: Interruption is disorderly.

The SECRETARY FOR LABOUR AND INDUSTRY: Those figures indicate clearly that under the Act that was passed by the Labour Government in 1932 fewer strikes have occurred. Twenty-four strikes occurred during the period that Act has been in operation, compared with thirty-five strikes during the period the Act introduced by the Moore Government was in operation. Those figures provide cogent evidence that suppressive methods are not conducive to industrial peace.

We have been intrumental in introducing certain improvements in our Act, which is the best of its kind in the Commonwealth; and at the same time that paramount question of unemployment has been better handled in Queensland under an Act that is condemned by hon. members opposite than in other States in the Commonwealth. In addition to protecting the living standards of the workers of the State—as I shall prove presently—the Labour Government have taken action that enables them to point to the fact that less unemployment exists in Queensland than in any other State.

The cost of living index figures, compiled by the Commonwealth Statistician and based on the cost of certain articles and house rent, guide the court to some extent in fixing the basic wage. According to these figures

the index number is lower for Brisbane at the present time than it was in 1931 when the Moore Government were in power, which indicates that the effective wage of the worker is higher now than it was during that period. It was 1343 then; it was 1288 for the June quarter of 1935.

According to Bulletin No. 41 (Queensland Registrar-General), based on the index figures for the June quarter of 1935 (Commonwealth Statistician), it would take the following amounts to purchase the same quantities of commodities as could be bought for £3 14s. in Brisbane:—

Capital.	Based on "All Houses" Index (A Series).	Based on "All Items" Index (C Series).	State Basic Wage.	Commonwealth Basic Wage.
	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Brisbane	3 14 0	3 14 0	3 14 0	3 2 0
Sydney	4 4 5	4 0 6	3 8 6	3 8 0
Melbourne	4 1 1	3 18 2	*	3 6 0
Adelaide	3 14 6	3 18 1	3 3 0	3 5 0
Perth	3 17 4	3 19 10	3 10 6	3 8 0
Hobart	4 2 2	4 1 1	*	3 9 0

* No State wage actually declared, but follows Commonwealth rates to a large extent.

Judged on the "All Houses" index it would have taken £3 11s. in the June quarter of 1935 to purchase what would have cost £3 14s. in the March quarter of 1931. Employing the "All Items" index, the present amount would be £3 10s. 7d., compared with £3 14s. in 1931. This indicates that the present basic wage is 3s. or 3s. 5d. respectively above the 1931 standard. The "Harvester" equivalent, which was utilised until about a year ago in computing the Commonwealth basic wage, was £3 5s. (including the "Powers 3s."), and this amount is 9s. below the State basic wage. The Commonwealth basic wage for Brisbane, based on the court's judgment of April, 1934, and varied by the "All Items" index, would be £3 3s., but the ruling rate is £3 2s. The Queensland basic wage is 12s. above this latter figure.

These figures indicate that during the time the Act passed by the present Labour Administration has been in operation the cost of living has been reduced, but the basic wage remains as it was when we assumed office in 1932.

The Commonwealth Statistician gives the following figures as representing the average normal weekly wage and working hours for the March quarter in the various States:—

—	Average Normal Weekly Wage.	Average Normal Working Hours per Week.
	s. d.	Per Cent.
Queensland	88 10	44·0
New South Wales	83 3	44·23
Victoria	79 4	46·82
South Australia	75 10	46·83
West Australia	84 1	45·51
Tasmania	80 1	46·77

The Government have subscribed to a policy of a progressive reduction in working hours per week wherever possible. Already the number has been reduced to forty in the building trades group and we hope to extend that principle as opportunity offers. It is impossible for a State to have a much longer working week than another State because Australia is a Commonwealth and with interstate free trade and competition.

I am satisfied that unemployment will always be with us unless a drastic reduction of working hours can be brought about. I repeat that there must be a drastic reduction—it is not a question of a 44 or 40-hour week but a drastic reduction in the existing number of working hours per week. Assuming that we eventually get out of the depression we shall still be faced with the problem of improved methods of production and the consequent scrapping of man power. It is a paradox that the more efficient mankind becomes in methods of production the sooner is the working man likely to lose his job. Governments will be compelled to face this fact, unless they are prepared to bring about a drastic reduction in the working hours of their people; and unless this is done, Governments will not be able to govern and function as such.

Next to international peace, most nations are anxious to obtain industrial peace. For the attainment of the former elaborate machinery has been set up, but so far no move to achieve industrial peace and banish unemployment has been attempted.

I think the nations of the world should get together and bring about a drastic reduction in the working week, and so absorb many of their unemployed.

I should like to refer to some of the provisions of the Act that are calculated to bring a full share of industrial peace to Queensland. Reference has been made in this Chamber to the sugar industry strike and the abattoir strike. Our Industrial Conciliation and Arbitration Act contains provisions giving the court power to intervene, and the abattoir strike was eventually settled as the result of a compulsory conference convened by the court in accordance with them. The hon. member for Dalby spoke disparagingly about the court when he stated in this Chamber that the court was under the domination of the Australian Workers' Union, and instanced the sugar industry in the North. I think the President of the court was quite in order when he stated from the Bench—not in the Press as stated by the Leader of the Opposition—that the hon. member for Dalby was, as usual, wrong; his facts were incorrect.

Mr. GODFREY MORGAN: I hope Mr. Speaker will allow me to reply to that.

Hon. M. P. Hynes.]

Mr. SPEAKER: Order!

The SECRETARY FOR LABOUR AND INDUSTRY: The Australian Workers' Union made an application to the court for permission to burn cane. The court adjourned the application sine die to enable the applicants to produce definite evidence of the existence of Weil's disease in those areas, so that the facts of the case are not as they were stated to be by a certain hon. member in this Chamber some time ago. The strike is being settled in our own way—permanently settled in the Industrial Court.

Mr. MAXWELL: You did not settle it, anyhow.

Mr. SPEAKER: Order! It has already been ruled that the discussion in this Chamber of a matter which is sub judice before the Industrial Court is not in order, and I hope the Minister will not depart from that ruling

The SECRETARY FOR LABOUR AND INDUSTRY: I shall not.

Provision is made in this Bill giving the court discretionary power as to determining or defining "double time" and "time and a-half." The Labour Party's previous Industrial Arbitration Act, which was the law on this subject up to 1929, contained no such definition, the court relying upon a judgment of the Full Bench when Mr. Justice McCawley was President, in 1918, in the Hall-Hoffnung case, that any person working under an award that prescribed a weekly rate was entitled to time on time for work performed on specified holidays. The Moore Government's Act, which our present Act repealed, defined "time and a-half" as half time on time; and "double time," as time on time.

Mr. MOORE: Does this not mean the same?

The SECRETARY FOR LABOUR AND INDUSTRY: No. The court had no discretionary powers under that Act, and certain hardships were inflicted upon certain persons as a result of that direction. We intend giving the court a discretionary power to define "time and a-half" and "double time." This should give complete satisfaction to all parties seeking the assistance of the court in industrial matters.

Mr. MOORE: It is very clear in the principal Act.

The SECRETARY FOR LABOUR AND INDUSTRY: There are people who are suffering hardship at the present time.

Mr. MOORE: I should like some information on that.

Mr. SPEAKER: Order! The hon. member may get that information in the Committee stage.

The SECRETARY FOR LABOUR AND INDUSTRY: Perhaps. We say that the court shall have full discretionary power to define "time and a-half" and "double time" in the various callings under their jurisdiction.

Mr. MOORE: Does that refer to time worked outside the ordinary hours?

The SECRETARY FOR LABOUR AND INDUSTRY: The hon. member probably has not had time to read the Bill. If he does so he will notice that there are two provisions dealing with "time and a-half" and "double time."

Under the old Act, the Industrial Arbitration Act of 1916, men who worked for a portion of the day on a job where a higher rate was prescribed by an award were paid for the whole of that day at the higher rate. Under the 1929 Act they were paid the higher rate only for the actual time worked. This gave rise to a good deal of dissension and confusion. The employees experienced considerable difficulty in securing the higher rate of pay even for the actual time worked, and invariably the unions complained that it was most difficult to have the time correctly recorded. The Bill provides that if a person is engaged on two classes of work in any one day he shall be paid at the higher rate prescribed by the award for at least half a day where he is employed on the higher paid work for less than four hours, but if his time of employment at the higher rate exceeds four hours then he shall be paid at that rate for a whole day.

Mr. MAHER: Explain clause 2 (ii.). It would take a Philadelphia lawyer to understand that.

The SECRETARY FOR LABOUR AND INDUSTRY: That is a very simple provision. For instance, in the case of tally clerks, a certain rate is prescribed for work done during the ordinary working hours (say, from 8 a.m. to 5 p.m.), a higher rate is prescribed for work performed from 6 p.m. to midnight, and a still higher rate for work carried out from midnight until the ordinary commencing time next morning. According to the court, the definition of "time and a-half" set out in the Act passed by the Moore Government meant that persons employed on certain holidays who worked beyond what would otherwise be regarded as the ordinary working hours, were paid less than they would have been paid if the day was not a holiday. The Bill will remove that obvious anomaly. The court stated that it had no power to give any other interpretation to that provision. The law will now be amended to provide, for instance, that if a tally clerk works from 6 o'clock p.m. until midnight on a holiday, he shall be paid time and a-half on the rate that obtains for working between those hours. That provision is simple enough.

The Bill also provides for the abolition of the rationing system. We have decided to abolish it because of the progressive reduction in the number of permits that have been issued. I have had a table prepared dealing with the matter, which indicates that rationing is no longer necessary to carry out the ordinary business of the State. At the peak period of the rationing system something like 6,000 persons were involved, but to-day that number has been reduced to 700, and in view of that material reduction the necessity for rationing does not exist to the same extent as it did. The court has considered all applications for permits to ration employees, and as the assistance of the court in this direction is not now sought by the employers, the Government are of the opinion that the time has arrived when rationing should be discontinued. It was an expedient adopted during the depression. In some cases it was abused. Where two rates were prescribed in an award, a rate for casual work and an ordinary rate—the former being the higher rate—unscrupulous employers would apply to the court for the right to ration their

employees, employing them at casual work but paying them only the ordinary rate as prescribed by the award. That was done in very many cases. I have had this table prepared, showing the number of permits issued and the number of employees involved—

——	Number of Permits.	Persons Affected.
30th June, 1931	25	869
31st December, 1931 ..	127	4,615
30th June, 1932	133	5,209
31st December, 1932 ..	154	5,542
30th June, 1933	174	5,522
31st December, 1933 ..	153	5,235
30th June, 1934	150	2,759
31st July, 1935	77	700

It will be observed that from the 31st December, 1933, to 31st July, this year, there was a progressive reduction, not only in the number of permits issued but also in the number of persons affected—an indication that the need for the rationing provision in the Act no longer exists. No real hardship will be entailed by its abolition. Possibly a few cases of hardship will result, but that is so in all legislation. In the interests of the workers and of all other persons concerned the time has arrived when the principle of rationing should be deleted from the Act.

This measure also deals with the dismissal or victimisation of workers who may ask for the benefit of the terms and conditions of the award under which they are working. The section giving protection to workers from unscrupulous employers is also being tightened up.

There is a further provision governing minimum penalties for breaches of awards. Many breaches have been brought under my notice, some of them flagrant. The department is put to the expense of prosecuting these employers, but in some cases the industrial magistrate inflicts only a nominal fine, which does not act as a deterrent. We have had the experience of such an employer committing a similar offence on the following day.

Mr. MAXWELL: Why don't you hang him?

The SECRETARY FOR LABOUR AND INDUSTRY: That is an absurd interjection. I believe that when Parliament enacts legislation it should contain a provision that will compel every person to observe it. It is rather absurd for the Government to provide that awards must be observed, and appoint industrial inspectors and then find that prosecutions for breaches result in the imposition of fines of 5s. Provision is being made that for subsequent offences a higher fine shall be imposed. That is an excellent principle to adopt. We have a similar provision in our Income (Unemployment Relief) Tax Act, the Liquor Act, and several other Acts. I was very reluctant to insert this provision. I issued a statement through the Press to the effect that the Government would be compelled to amend their legislation to prevent flagrant breaches of awards if the light penalties imposed by industrial magistrates continued to be inflicted. Employers have written to me stating that the only way to prevent such breaches is to provide for higher penalties. As the Government do not control the industrial magistrates, the only thing they can do is to prescribe such minimum fines as they consider should operate for breaches of awards, and higher fines for subsequent offences.

These are the main provisions of the Bill. It will remove a great number of imperfections which at present exist in our industrial legislation and give general satisfaction to the community by making for a greater measure of industrial peace. It will also safeguard the living standards of our people, which, after all, is the principal function of a Bill of this character.

Mr. MAXWELL (*Toowong*) [11.17 a.m.]: The usual tirade of abuse, which seems to be the stock in trade of hon. gentlemen on the front Government bench, has been requisitioned this morning by the Secretary for Labour and Industry. His remarks savoured of a political speech rather than an explanation of the Bill. During the course of his speech the Leader of the Opposition, by way of interjection, asked the Minister to explain a certain clause of the amending Bill, and you, Mr. Speaker, in your wisdom, pointed out to the Leader of the Opposition that the time for that explanation was during the Committee stage of the Bill; and the hon. gentleman with his usual levity said "Perhaps." That is the position, Mr. Speaker, "Perhaps!" The hon. gentleman will give the information if it suits him or his party to do so.

The hon. gentleman referred to the number of strikes that took place during the Moore regime as compared with the period Labour has been in office since that time; but he religiously avoided giving the figures relating to the strikes in 1935.

The SECRETARY FOR LABOUR AND INDUSTRY: I did give them.

Mr. MAXWELL: The figures relating to the abattoir strike and the sugar strike were not given and the hon. gentleman knows it full well. It is doubtful whether it is worth while our attempting to offer criticism of a constructive nature with the object of improving the machinery of government, because suggestions made by hon. members sitting in Opposition, who undoubtedly represent a large section of the community, are ridiculed.

A report appears in the "Courier-Mail" of 29th July, 1935 that indicates that the Minister received a deputation from the Trades and Labour Council about this Bill and other matters. The report reads—

> "Several amendments to the Arbitration Act, including annual leave of fourteen days, the abolition of rationing permits, and the curtailment of the practice of piecework were sought by a deputation from the Trades and Labour Council which the Minister for Labour and Industry (Mr. Hynes) received on Friday."

When the Apprentices and Minors Act Amendment Bill was introduced a deputation waited upon the Secretary for Public Instruction, and subsequently those who were associated with the building trade asked the Minister to receive a deputation, but the Minister never received it. At that time I did not think it possible that there was going to be any side-stepping. I now say emphatically that side-stepping has been done and the Minister did not want to

receive the deputation. I have documentary evidence here which proves that a letter was sent by organisations to the Secretary for Labour and Industry asking him to receive a deputation.

The SECRETARY FOR LABOUR AND INDUSTRY: What is the date of that letter?

Mr. MAXWELL: 12th August, 1935, and it came from the Queensland Employers' Federation. The letter reads—

"Queensland Employers' Federation.
"Commerce House,
"Adelaide Street,
"Brisbane,
"12th August, 1935.

"The Under Secretary,
"Department of Labour and Industry,
"Treasury Buildings,
"Brisbane.

"Dear Sir,—I am directed to ask if the Minister will be good enough to receive a deputation representative of the employing interests of the State, at his convenience, to enable employers to place their views before him with regard to certain amendments that have been suggested to him, with reference to the Industrial Conciliation and Arbitration Act.

"I am directed to ask that if when the time is fixed for the deputation, a week's notice may be given us as it is intended to get representation from the country, as well as the city.

"I shall be obliged if you will place this request before the Minister and let me have his decision as early as possible.

"Thanking you in anticipation,
"Yours faithfully,
"S. BENJAMIN,
"General Secretary."

The reply from the Under Secretary is as follows:—

"Department of Labour and Industry.
"Brisbane, 30th August, 1935.

"Dear Sir,—With reference to your letter of 12th instant asking that the Minister receive a deputation representative of the employing interests of the State to enable employers to place their views before him with regard to certain amendments that have been suggested to him with reference to the Industrial Conciliation and Arbitration Act, I am directed to advise that the hon. the Minister will receive the deputation at 11 a.m. on Wednesday, 4th September, at Parliament House.

"The Minister desires that the deputation shall be limited to five members if possible, and I shall be glad if you will advise me the names of those who will comprise the deputation.

"Yours faithfully,
"(Sgd.) F. E. WALSH,
"Under Secretary."

"S. Benjamin,
"General Secretary,
"Queensland Employers' Federation,
"Box 191 C. G.P.O.,
"Brisbane."

In reply the following letter was despatched:—

"Chamber of Manufactures,
"64 Eagle street,
"Brisbane.
"3rd September, 1935.

"The Under Secretary,
"Department of Labour and Industry,
"Treasury Buildings,
"Queen street, Brisbane.

"Dear Sir,—Re deputation to the hon. the Minister for Labour and Industry, 4th September, 1935.

"Owing to Mr. Benjamin having been called to Melbourne, your letter of the 30th ultimo has been handed to me for attention.

"In compliance with the wish of the Minister, the number of speakers at the deputation will be four (4), and will speak as follows:—

Mr. C. B. Poole (Vice-President of the Queensland Employers' Federation) will shortly introduce the deputation; Mr. S. A. Best (representing the Queensland Chamber of Manufactures) will follow Mr. Poole. The next speaker will be Mr. F. R. Lloyd (representing the Warehousemen's Association), and he will be followed by Mr. W. A. Jolly (representing the Country Retail Traders' Association).

"Others who will be present will be Messrs. E. R. Isaacs (Brisbane Merchant's Association), T. C. Abraham (Brisbane Retailers' Association), T. Lewis (Meat Export Companies), and the writer.

"I do not expect that either of the speakers after Mr. Best will have a great deal to say as Mr. Best's remarks will practically cover the whole of the items, consequently, I should think that the deputation would not take more than one (1) hour.

"Yours faithfully,
"(Sgd.) A. A. FULLARTON,
"Secretary."

That is the correspondence that has passed between the employers' organisation and the department controlled by the Secretary for Labour and Industry.

The SECRETARY FOR LABOUR AND INDUSTRY: As I said, I then had not the time to interview them.

Mr. MAXWELL: It is not a question of the hon. gentleman's stating what he could do. A meeting was never arranged and, as a matter of fact, up to this morning such an interview has not taken place. The Minister is a sectionist. He is class-conscious and has no concern for any other sections of the community than those he favours. This is the gentleman who, regardless of the position of other people,——

Mr. SPEAKER: Order! The hon. member will refrain from dealing with the Minister and confine his attention to the principles contained in the Bill.

Mr. MAXWELL: I bow to your ruling, Mr. Speaker, but at the same time I desire to point out that certain opportunities were given to one section of the community by the Minister that were not afforded to others.

Mr. SPEAKER: Order!

The SECRETARY FOR LABOUR AND INDUSTRY: The hon. member has missed the point. He has just stated that the deputation never turned up.

Mr. MAXWELL: The hon. gentleman has stated that the deputation never turned up. How could they turn up when he said he could not meet them? The hon. gentleman is side-stepping the issue and he cannot do that with me. I do not stand for that. (Government laughter.)

Mr. SPEAKER: Order!

Mr. MAXWELL: There is another peculiar state of affairs that must be brought before the attention of the House. A precedent has been established for the principle that even prior to the passage of a Bill through Parliament enacting certain provisions, similar provisions may already be inserted in an industrial award issued by the court. The Local Authorities (excluding Brisbane), Main Roads, etc., Award came before the Industrial Court in Brisbane on the 24th July, 1935, and contains the following:—

> "TWO CLASSES OF WORK.
>
> "When any person on any one day performs two or more classes of work to which a differential rate by this award is applicable, such person, if employed for more than four hours on the class or classes of work carrying a higher rate, shall be paid in respect of the whole time during which he works on that day at the same rate, which shall be at the highest rate fixed by this award in respect of any of such classes of work, and if employed for four hours or less on the class or classes of work which carry a higher rate, he shall be paid at such highest rate for four hours."

This clause makes a provision that has not yet received legislative sanction. The Bill before the House contains a clause making provision with respect to two or more classes of work performed on the same day, and it is most peculiar that when members of the Opposition are attempting to do something that will bring order out of chaos the Government practically say, "It does not matter about the Opposition in Parliament. We have a majority. Put it in the award. It is quite all right."

Mr. SPEAKER: Order! Do I understand the hon. member to say that the Government said to the Industrial Court, "We have a majority. Put it in the award."

Mr. MAXWELL: I did not say that nor did I hint at such a thing. What I intended to convey was the peculiar position in which the Opposition to-day find themselves.

What is the good of bringing a measure before the House when one of its provisions is already in an award?

The SECRETARY FOR LABOUR AND INDUSTRY: You are like Mark Twain's Mississippi steamboat—when the whistle blows your propeller stops. When you are pulled up, you do not know what to say.

Mr. MAXWELL: I do. The hon. gentleman does not know what he is talking about, anyway. The Bill says—

> "Where any person on any one day performs two or more classes of work to which a differential rate fixed by any award is applicable, such person, if employed for more than four hours on the class or classes of work carrying a higher rate, shall be paid in respect of the whole time during which he works on that day at the same rate, which shall be at the highest rate fixed by any award in respect of any of such classes of work . . ."

Mr. SPEAKER: Order! The hon. member has been here long enough to know that he must not read through a Bill clause by clause.

Mr. MAXWELL: I am not.

Mr. SPEAKER: The hon. member is not entitled to do that.

Mr. MAXWELL: I am not doing that. I am pointing out that here is an amending Bill—not an Act of Parliament—yet one of its clauses is already contained in an award. I need not say any more than that.

I have here a copy of a letter dated the 25th September, from the Registrar of the Industrial Court to the Secretary of the Employers' Federation and other organisations interested.

Mr. BRASSINGTON: What about the circular the Leader of the Opposition sent?

Mr. MAXWELL: Never mind about the circular the Leader of the Opposition sent. I am dealing with this circular. I am pointing out to the House and to the people outside what, in my opinion, is wrong; that laws that have never been properly discussed and never been passed are contained in awards. We have very little information from the Secretary for Labour and Industry concerning this Bill. We received the usual tirade of abuse at the outset from the other side of the House, and the Minister quoted the good he alleged had been brought about by the Labour Government since they took office. He said that strikers were more numerous during the reign of the Moore Government than they were when his party were in power. I question that very much.

Mr. BRASSINGTON: Figures can speak for themselves.

Mr. MAXWELL: Figures can lie and liars can figure. The figures quoted by the Minister this morning are figures suitable to his case. We have had one example of what the Minister is prepared to do when he side-stepped the employers who wished to discuss certain matters with him. He has shown his partiality there. We have further evidence in his attitude concerning the Industrial Court. It is reprehensible that such an attitude should be adopted.

We know that the Bill gives the court full power to vary the overtime rates, either up or down, as circumstances warrant. The court already has power to prohibit the working of overtime under section 10 (1) (*d*). As I read the award, all work done outside the ordinary hours on those holidays must be paid for at double the ordinary rates in addition to the weekly rate.

Mr. SPEAKER: Order!

Mr. MAXWELL: Nobody can find fault with giving the court full power. I have no desire to bump my head against a rock in connection with the court. The thought has often occurred to me, however, that our

civil actions and our criminal actions are presided over by men learned in law and persons who desire to put their cases before the learned judges of the court do so. They do not sit on the bench with the judge. They put their case, and the judge himself decides the question. I believe that if that principle were adopted in the Industrial Court it would give greater satisfaction.

The Minister has suggested that hon. members on this side are allied with the Communists, but apparently it is he who has associated with the Communists, because he was able to tell us certain things about them and their feelings that we knew nothing whatever about.

We had an opportunity to abolish the Industrial Court when we were on the Treasury benches, but we believed that it was absolutely necessary that the principle of arbitration should prevail. I realise that arbitration is necessary. I know that there are unscrupulous bosses and that there are also unscrupulous men, and that legislation is required to prevent them from doing certain things. Does it prevent them from doing them? The Minister informed us this morning that industrial peace would be secured by the approval of a code of industrial law. Have we not had such a code? We have; but we have not had industrial peace. The Labour Government included penalty clauses throughout their industrial legislation, and we had examples of breaches of the law where punishment could have been meted out to individuals who refused to abide by an award of the court. The court said that it had no power. The Minister informed us that he had the power. If he had the power, why did he not put the law into operation? It was not put into operation. Hon. members will recollect that in the North one man defied the court, and told it that there was an opportunity to inflict heavy fines on the men present aggregating £60,000. Those fines were not inflicted. Again, in connection with the abattoir strike, do hon. members forget that a union secretary said, "I do not believe in arbitration," and that he also defied the court? Why did not the Government deal with that gentleman? If not the Government, then why did not the court deal with him?

The Minister also informed us that it was the avowed object of the Government to promote industrial peace. I hope that this Bill will promote industrial peace; but how is that end to be achieved when agitators are continually causing trouble? I am afraid that the aims and objects of the hon. gentleman and his colleagues will not be accomplished. As I stated before, I believe that the court should have power to deal with matters like this. I certainly do not endorse the statement made by the Minister this morning in reference to the fines inflicted on individuals for breaking industrial awards. You will remember, Mr. Speaker, that he said that he was satisfied that the industrial magistrates—he did not use this exact language, but I am using it—did not do their jobs—that they did not inflict sufficiently heavy fines. Who is the best judge—the Minister, who sits in his office and hears only one side of the case, as he did when he received a deputation from the Trades and Labour Council, or the man who sits on the bench and listens to the whole of the evidence? An industrial magistrate may decide that the offence was a trivial one, and that a small fine would meet the case. I remember reading in the paper some time ago that a man taken before a court said that it was the first time in his life time ago hat a man taken before a court and he felt that it was a disgrace to be there. The Minister seems to think that a fine should be sufficiently heavy to deter him from committing a breach of the law; but we know very well that a threat of monetary punishment will not prevent men from doing wrong if they are determined to commit it. We also know that certain remedies for breaches of the law are in the hands of the Minister. Have we not the example of a man who was fined £1 with 6s. costs because he commenced work before 7 o'clock in the morning? There are any number of cases like that, but discouragement of that sort never assisted to build up this country. That kind of legislation could not make for the development of a new country.

The Minister also dealt with the question of a shorter working week. While he was speaking I was reminded of a good cartoon that recently appeared in one of our local papers. Two unfortunate derelicts were out in a paddock. One said, "Have you seen the paper this morning? I see that Scullin is going to bring in a 40-hour week." The other individual replied, "Gawd strewth! You don't mean that! It won't matter to us unless he makes it compulsory." The same comment might be made in respect of the proposals of some hon. gentlemen opposite. If it is made compulsory, it might make a great deal of difference. This idea of the 40 and even the 30-hour week——

Mr. SPEAKER: Order!

Mr. MAXWELL: Very well, Mr. Speaker. By this Bill power is to be taken from the Industrial Court to grant permits for the rationing of work. The Minister made an explanation, but I cannot understand the attitude of the Government. I am of the opinion that the deletion of the principle will not injure the employer in any way. The employers have loyally and honourably co-operated with the Government in the rationing of whatever work they had over the whole of their employees. After all, who created rationing of work? It was not the Moore Government. According to a return tabled in this House on 13th September, 1922, between January, 1921, and June, 1922, 1,120 employees in the Railway Department were dismissed and a saving of £240,872 thus effected, whilst 4,247 other employees were affected by the pooling system that was adopted and brought about a saving of £66,000. That was practically the rationing of work. It was the Labour Government who initiated the practice, the object of which was to assist needy employees. It is my ardent desire to see every worker working under good conditions, drawing good wages, and receiving a weekly pay; but whilst the economic position is as it is, do not let us strangle unfortunate workers who are only able to obtain two or three days' work a week! The Minister would be well advised to leave the whole subject of rotational work or rationing of work in the hands of the Industrial Court. It savours too much of dictation to the court for the Government to prescribe that it must or must not do certain things. The court is the best judge, after hearing all the facts that are placed before it, of what is best in the interests of the employees and industry.

Why take that power from the court? If this provision is agreed to the court will be debarred from hearing or granting any application to ration work. Section 11 of the present Act makes full provision for the rationing of work, and the Minister has given no satisfactory reason for its deletion except that a fair number of employees are at present engaged on rationed work.

The SECRETARY FOR LABOUR AND INDUSTRY: Only seventy-seven firms in the whole of the State are affected.

Mr. MAXWELL: Only seventy-seven firms may be affected, but 700 employees are interested. These men are on the lower rungs of the ladder. No one can say that two or three days' work a week gives anything approaching a living wage. The Minister quoted figures concerning the cost of living and also the basic wage, but if in a great many instances workers do not have the money to buy what they require because they are not receiving the basic wage for a full week's work, what is the good of the basic wage? The enactment of this clause reminds me of a quotation from Horace—

> "Whom the gods wish to destroy they first make mad."

It must be the wish of the gods to destroy the Minister and his party, because they are seeking to interfere with rationing. It will not interfere to any great extent with the employers. We have had the Minister and some of his colleagues applauding the co-operation and help given by employers' organisations to tide the workers over the difficult times we have had and are still passing through. By the adoption of the rationing system many employees have been kept in partial employment, but under this Bill they will be thrown on the unemployment market for the Government or private charity to assist. They must become a direct charge on the country. No one wants these people to be thrown out of employment—certainly not the people affected themselves. I have admitted that the rationing of work is not right. I should like to see some of the hon. gentlemen occupying the front Treasury bench placed in such a position; then they might adopt a different viewpoint. Notwithstanding the figures that have been quoted showing less unemployment in Queensland, I know hundreds who are in straitened circumstances and who are unable to obtain employment.

Hon. members opposite have quoted figures from the "Telegraph" on various occasions, and I propose to quote the following article which appeared in that paper of Friday, 27th September, 1935. It reads:—

> "Rationing was introduced, and operated to obviate dismissals, to spread available work and wages, heavily reduced on account of the trade depression, so that industry, in its enfeebled state, might maintain as many breadwinners as possible; and rationing was honourably accepted by numerous workers tolerably assured of steady employment for the sake of their less fortunate comrades. From the point of view of the employers, the system was, and is, attended by considerable inconvenience and loss of efficiency, recognised, however, as a humanitarian method for which it is right to make some sacrifice.
>
> "The capacity of industry to absorb labour depends not upon Acts of Parliament but upon the condition of trade. To pass a special law ordering full-time employment or none will not enlarge that capacity, because politicians cannot make prosperity—though they may mar it. But it may quite conceivably mean reductions of staffs and increase the ranks of the workless. In short, full-time employment is impossible without the need for it, and if and when that need exists rationing will automatically disappear. In the present circumstances the Arbitration Court may well be permitted to use its own judgment and exercise its own authority in this matter, and its hands should not be tied by an Act of Parliament. We regard the measure as not only being unnecessary, but as likely to do harm, even though it is designed and intended to do good."

I urge the desirability of reviewing the decision the Government have made in connection with rationing. I am aware that the provisions of the Bill will not become operative until the end of the year, and by that time I sincerely hope it will not be necessary to ration anybody; but a policy that has the effect of restricting and hamstringing industry will not help to eliminate unemployment. Employers cannot be compelled to employ men if there is no work for them to do. Employers do not dismiss employees because they like doing that sort of thing. I have had to dismiss men, and I know it is a cruel thing to have to say to a man, "You will have to go off." However, it must be borne in mind that "half a loaf is better than no bread." What are the Government going to do if conditions have not improved to any great extent when the rationing provision contained in this Bill becomes operative? If rationing is still in operation numbers of people will be prevented from earning their living. These men will be again placed on the dole, and the old order of things will be reverted to. I urge upon the Government the necessity for altering their decision to proceed with the Bill.

During his speech the Secretary for Labour and Industry referred to the number of breaches of awards committed by employers. He reminds me of reports I have read in the "Daily Standard" and other newspapers, of protests by members of unions in regard to the actions of fellow members who had been prosecuted for breaches of awards. It is apparent that the fault does not lie with one party to the award—it lies with both. The department controlled by the Minister has power to prosecute individuals for breaches of awards. It is ridiculous to lay down a minimum fine of £1 and a maximum fine of £5 for the offence of selling a loaf of bread over a counter. Apparently the Government consider the industrial magistrates have been too lenient in dealing with offences against the industrial laws. The reason given is that it is too expensive to the department to police the awards. Who is best able to judge whether a person has or has not been guilty of a breach of an award? I do not believe in the breaking of the laws of the State. Certainly there are some of which I am not in favour, but, irrespective of likes or dislikes, I believe that laws are enacted to be obeyed. In order to show that discrimination is displayed by the Government in their

attitude to award breakers, I draw attention to recent statements in connection with after-hour trading in hotels. In that trade certain awards have been flouted, but the Government took no action. Why not? They took to task the butcher, the baker, and the candlestick maker, but hotel trading was left religiously alone.

I am not finding fault with them, but as I said a moment ago, if a law is wrong or unfair, it should be remedied, but so long as it is the law it should be administered impartially. The party of which I am a representative has already given proof of its belief in the principle of arbitration. Maybe we do not believe in arbitration of that type supported by the hon. gentleman and his colleagues—our principle is "Justice for all." From the evidence submitted this morning it appears that members on the Government benches favour only one section of the community. The Government should consider that other section which also contributes to the revenue of the State, and should not harass it with restrictions. All the things covered by the Bill can be accomplished by British justice and fair play; there is no need to resort to the methods suggested by the Secretary for Labour and Industry this morning.

Mr. BRASSINGTON (*Fortitude Valley*) [11.56 a.m.]: The Secretary for Labour and Industry made reference to the early struggle of the working people of Queensland to secure the right to organise politically and industrially and to have the principle of industrial arbitration established. On the initiatory stage of the Bill hon. members opposite had much to say against the principle of arbitration and the general policy of the Government in that matter. The hon. member who this morning acted as spokesman for the Opposition made certain comments regarding arbitration in general and the policy of the Government in particular, therefore I take the opportunity to review some of the facts in the early struggle for this important principle, and the sacrifices made by the men and women who fought for their ideals. The predecessors of the party now sitting in opposition bitterly contested these principles. On all occasions the party opposed to Labour made it its business to prevent the formation of industrial and political organisations of the workers. Likewise, they bitterly opposed any suggestion or any semblance of arbitration. It is necessary for me in my brief survey to remind hon. members opposite of the year 1891 and the unfair conditions that operated at that time. I remember that during the contest for decent wages, working and living conditions for the working people of Queensland, it was the party represented by hon. members opposite that on every possible occasion opposed any advancement. Passing from the struggle of 1891 we come to those that occurred in 1894 and 1896. Every form of coercion was adopted to prevent the workers from organising industrially. The opponents of the working man decided that he should remain stationary, and that no progress should be made for the betterment of his conditions. It is necessary only to recall to the minds of the people of Queensland the struggles that took place in those years to show how sincere or how genuine are the remarks of those who attack the principle of arbitration as interpreted by the present Government and their policy, which enabled the unions and other bodies to organise industry throughout the State. Hon. members opposite cannot deny this fact.

Mr. RUSSELL: We do deny it.

Mr. BRASSINGTON: As an illustration of the attitude of the predecessors of members of the Opposition, I wish to draw attention to a trial that took place in Thargomindah, in 1891. This is referred to in W. G. Spence's "Australia's Awakening." It appears that a prisoner was charged with some breach of the law, and the magistrate asked the constable in charge of the prosecution if he knew anything against the prisoner. He replied that he knew nothing beyond the fact that the prisoner was found in possession of an Australian Workers' Union ticket, or a union ticket of that day. The prisoner was convicted and fined. In those days hon. members opposite stood for that policy. To-day they are true to that policy, and they are opposing this Government's attempts to give the people of this State a sound progressive industrial organisation. The treatment meted out to unionists and the public generally in those far-off days is a blot upon the fair name of Queensland. It is one of the most disgraceful episodes in the history of this State, and proves that the policy of the Government at that time was vicious, cruel, and vindictive. The party opposite may shift ground, but their policy is the same to-day as it was then; they oppose a Bill that makes for better conditions and asserts the right of the worker to live. Hon. members opposite may shift ground and evade the issue, but the people of Queensland, who enjoy reasonable conditions under the enlightened policy of this Government, will remember that they have shown, by their attitude here, that their policy is still the same, and that if given an opportunity they will again apply it in all its severity.

In the initiation stage, hon. members opposite vented their political spite against certain industrial unions in this State. It is interesting to note that the people of this State have much to thank the industrial unions for. If hon. members opposite take the time and trouble to study the industrial history of this State, they will be prepared to agree with me that thanks to industrial organisations many fine humanitarian and progressive laws are now upon the statute-book of Queensland. Were it not for industrial unionism, were it not for the efforts of the industrial unions, in close alliance with the political organisation of the working people of this State, a large number of splendid statutes would not be in operation in our State. Hon. members opposite cannot make the people forget that fact.

Let us remember that the very Act to which hon. members opposite to-day pay lip service, the Industrial Conciliation and Arbitration Act, is in the main, the product of industrial and political action on the part of the people of this State. Credit can be given to the allied action of industrial unionism and the political organisation of the worker, for numerous benefits conferred upon the people of Queensland by this measure. Credit is also due to both the industrial and political wings of the Labour movement for workers' compensation.

Mr. NIMMO: No, not given by Labour.

Mr. BRASSINGTON: The hon. member interjects, "Not given by Labour." I say

very definitely that were it not for the efforts of the industrial organisation of the people generally and the political activities of the members of this party, no concessions would have been given in that direction. I invite every hon. member opposite to consider every humanitarian measure upon the statute-book of Queensland; they will then be prepared to agree with me when I say that, thanks to the industrial policy, backed by the political activities of this party, the people of this State have enjoyed great benefits. I can only add that, thanks also to the industrial organisation, such things as the sweating of labour in the factories and fields is practically unknown in Queensland. If hon. members opposite claim credit for this state of affairs, how can they explain away the important fact that in countries where there is no industrial unionism, where there is no political Labour Party, the evil to which I have referred is particularly rampant? The employees in factories and other industries in other countries are working longer hours, are being poorly paid, and generally, their position when compared with the Queensland workers, is certainly a desperate one. So I say, that thanks to industrial unionism and political action, there is no sweating in factories in this State, nor any exploitation in other industries in Queensland. Compare that with the sad and distressing story that can be told of India, for instance, where it is well known that owing to lack of industrial organisation and protection by industrial laws, large numbers of children are forced to work in industry. Those children would be better off attending school, would enjoy better surroundings and better health, and would become more useful citizens if they had an industrial organisation such as ours, but all those advantages are lost to them as the result of the poorer industrial system that operates in such countries. It was disclosed at a recent International Labour Conference at Geneva that only lately has the practice of employing women in the coal mines of India been discontinued. Ever since coal has been mined in that country the mine owners have employed women and children—anyone that they could press into their service.

Mr. SPEAKER: Order! I hope that the hon. member will connect his remarks with the principles of the Bill.

Mr. BRASSINGTON: I maintain that I am doing that, for the simple reason that I believe that this measure——

Mr. DEACON: You are trying to defy Mr. Speaker.

Mr. BRASSINGTON: I am not trying to defy you, Sir. I contend that industrial matters in all their phases come within the ambit of the discussion on this Bill, and I am endeavouring to point out that our thanks are due to the industrial and political organisation in this State, which has prevented the tragic industrial conditions that obtain in the countries to which I have referred. I want to go further, and without any desire to conflict with your ruling, Mr. Speaker, I want to point out that were it left to hon. members opposite the conditions that now obtain——

Mr. EDWARDS: Don't be silly.

Mr. BRASSINGTON: If anyone can show me that the hon. member for Nanango has ever stood on the side of progress or for the principles of arbitration that are now law in this State, I shall be prepared to offer an apology to him.

Mr. EDWARDS: Then you had better do it at once. I have employed more men than you are ever likely to employ.

Mr. BRASSINGTON: The hon. member claims to have employed more men than I. That point I am not going to argue, but if his standing as an employer is to be measured by his outlook in this Chamber, then I suggest that he would employ those men at the lowest possible rate.

Mr. SPEAKER: Order!

Mr. BRASSINGTON: I want to revert to the point that I was endeavouring to make—the thanks of the people of this State are due to the industrial and political organisation that has operated in their interests. Judging hon. members opposite on their past actions, I am confident that the industrial laws enjoyed by the people in this State would never have been placed on the statute-books had hon. members opposite been in power.

Mr. RUSSELL: No credit is due to your party.

Mr. BRASSINGTON: If no credit is due to my party, then no credit is due to anyone else. Thanks to its industrial and political organisation these measures are on the statute-book and the people are able to enjoy considerable benefits.

In their alleged stand for the principle of arbitration, apparently hon. members opposite overlook quite a number of important facts. The hon. member for Toowong referred to what, in his opinion, amounted to a lack of duty on the part of the present Government. He complained that the Government had failed to intervene in an industrial dispute, with a view to settling it, at the earliest possible moment. Whilst hon. members opposite are prepared to give lip service to the principle of arbitration they have discarded that principle during the course of an industrial dispute and have endeavoured to setttle it by coercive measures.

Mr. RUSSELL: Not right.

Mr. BRASSINGTON: If my contention is not right then I ask hon. members opposite to explain their use of coercion in the settlement of industrial disputes away back in 1891, and again in 1912, and their threat to introduce it again in 1931. I might go a little further and inform the people of this State what arbitration really means to Queensland and just how the court is constituted, so that they will appreciate the real position and will not be confused by side issues and misrepresentations emanating from hon. members opposite. I maintain that it is not the function of this Government or of any other Government to dictate to the Industrial Court. When hon. members opposite were the Government and we sat in opposition we bitterly fought against that very principle, and we again reaffirm our attitude on that occasion by stating that it is not the function of a Government to interfere with arbitration in any way. Parliament has given the Industrial Court a certain constitution set out in the statute. The court, as constituted, has power to make awards and to remedy industrial grievances.

It has power to call conciliation conferences, and in every way to promote industrial peace, assist in the smooth conduct of industry and prevent industrial dislocation. In the event of strikes or industrial dislocation the court has power to bring the contending parties together in an endeavour to arrive at a solution of the trouble so that industry may resume its normal course. Those are the functions of the court. When a dispute occurs it is necessary for the court to use its machinery for the purpose of calling the parties together in order that a satisfactory settlement may be reached. That is a fair statement of the court's functions. A fair statement of the attitude of the Government is that when a dispute occurs it shall be handled and dealt with by the court without any intervention on the part of the Government. Where do hon. members opposite stand on this important issue? Are they in favour of the court's being free and untrammelled in carrying out its functions, or do they favour the Government's riding roughshod over the court and introducing coercive methods to effect a settlement of the dispute by crushing the party they may not favour? Hon. members opposite have no ardent desire to support the court or the operation of the law. When industrial peace is broken, irrespective of the party concerned, they, like the tyrants of old, after they have tasted blood, demand more blood by crushing the party in the dispute opposed to them, as they did in 1891 and 1912. It is the function of the court to handle industrial disputes under the charter conferred by Parliament, and it is not the function of the Government to intervene or endeavour to influence the court in any way in the settlement. If it were a function of the Government, why go to the trouble of appointing an Industrial Court or passing an Industrial Conciliation and Arbitration Act? If it is the function of the Government to interfere in times of industrial dispute, why not let us be honest about it and let Parliament deal directly with all these questions? We could then listen to the behests of hon. members opposite for the use of the repressive and coercive methods so prominent in their policy.

I desire to refer to the dispute in the Northern canefields, but I do not want in any way to conflict with your ruling, Mr. Speaker. The Government have adopted the only policy possible. It is the function of the court to bring the parties in the dispute together and make them realise that arbitration is still a living force in this State, that arbitration is the outcome of a policy of tolerance, progress, and justice, not the policy of the jungle that is believed in by hon. members opposite. The Government have acted soundly and wisely in this dispute. They would have been extremely foolish and unwise had they listened to the demands of the Opposition and taken sides not only in this dispute but in the one at the abattoir also. If the court cannot settle industrial disputes then they will never be solved by the policy of the Opposition. A policy of repression and coercion merely breeds further bitterness. It might be successful in crushing a party to the dispute for the time being but the workers, smarting under the injustice they suffer, will at a favourable opportunity, whether it be months or years afterwards, renew the dispute with renewed intensity. Hon. members must not forget that. Force never yet solved any problem. When hon. members opposite demand the use of force in this dispute then they demand the use of something that will only breed more industrial unrest throughout the State.

Mr. RUSSELL: You did use force.

Mr. BRASSINGTON: Established Governments at all times adopt the policy of arbitration, based on tolerance and reason, wherever practicable. We have the spectacle to-day of the world's fast approaching an acute crisis, and the possibility of war breaking out. The nations interested are endeavouring to settle the points at issue by arbitration. If there is a chance of settling that dispute with satisfaction to all parties it will be arbitration that will bring about that result.

Hon. members opposite, particularly the hon. member for West Moreton, had much to say the other day as to what the Government should do. The hon. member for West Moreton charged the Government with inaction. The Opposition are not doing a service to the State by telling us what we should do, endeavouring to make political capital out of what they conceive to be our shortcomings, and endeavouring to confuse the issues. It is not a question of hon. members opposite telling the Government what they should do; it is a question of hon. members opposite shouldering their responsibility as elected representatives in this House by telling the people of Queensland what they would do. I desire to indict them further.

Mr. SPEAKER: Order! I have allowed much wider latitude on this Bill than I should have allowed. That is an admission. There are only six principles contained in this Bill, every one of which is a minor one. When the order of leave was established at the initiation stage in Committee it was decided that the Industrial Arbitration and Conciliation Act should be amended "in certain particulars." The time to say what should be in the Bill, or a general discussion on the principles of arbitration, or on any extraneous matters, was at that stage; but the order of leave having been agreed to, on the second reading, hon. members must confine themselves to the discussion of those principles contained in the Bill. I hope hon. members will conform to my ruling.

Mr. BRASSINGTON: I rise to a point of order, if I may be allowed to state my point of order. I have listened to the remarks of the Secretary for Labour and Industry when introducing this Bill, and also to the speech of the hon. member for Toowong. Those gentlemen discussed practically every point in connection with arbitration, and I suggest that I am entitled to do the same. In asking hon. members opposite what they would do during a time of industrial trouble, I am asking for a statement of their policy as applying to any industrial dispute.

Mr. SPEAKER: Order! There is some justice in the hon. member's complaint, but this must be remembered: if this debate is to continue as a general discussion on arbitration, industrial disputes, and so forth, where will it end? Irrelevant discussion on a Bill confined within such narrow limits as this one must be stopped at some point, and the hon. member has already occupied a number of minutes in dealing with principles which are not contained in the Bill.

I ask the hon. member to help me to bring the debate back to its proper channel. The fault was mine, to some extent, in the beginning, but the discussion must be limited to the principles contained in the Bill.

Mr. BRASSINGTON: I am merely carrying out what I consider to be my duty in this Assembly, and I do not desire to in any way clash with you, Mr. Speaker, or do anything which may be out of order. I still think that discussion on any matter relating to industrial arbitration should be permitted in regard to a Bill of this nature.

Mr. SPEAKER: I assure the hon. member that the principle of arbitration is not in question. The only principle contained in the Bill is the desirableness or otherwise of referring certain matters to the court and some other minor matters.

Mr. BRASSINGTON: Very well, Mr. Speaker; if you place the responsibility on me of confining the discussion to the points you have mentioned I will attempt to do so.

An OPPOSITION MEMBER: It will cramp your style.

Mr. BRASSINGTON: If it will cramp my style in regard to what I am about to say, it does not affect the merits of the facts I have already stated, nor does it strengthen the weak case put forward by hon. members opposite.

One principle contained in the Bill on which I can speak with authority is the provision relating to heavier penalties for breaches of awards. I had the privilege of acting for a considerable period as industrial inspector, and during the course of my duties I became conversant with the problem. It is futile for the Government to employ industrial inspectors for the purpose of policing awards and prosecuting for breaches of them if the courts inflict nominal penalties of offenders. A magistrate inflicting a penalty under the Act is restricted to the amount provided by the section relating to the breach of the award in question. He may feel the same as the industrial inspector. He may feel that the Act or the award did not clothe him with the power to impose a penalty in keeping with all the circumstances of the case. Without caring whom I offend, I say definitely that if the Industrial Conciliation and Arbitration Act is to function properly, conspiracy between employer and employee to defeat the provisions of awards must be terminated. As an industrial inspector I found employers and employees conspiring to do this, and also to make the inspectors' work well nigh impossible. At different places inspectors would hear the remark, "What are the union officials doing about it? What are the industrial inspectors doing to cope with it?" Under the conditions in which a certain number of employees are working it is almost impossible for an industrial inspector to detect breaches of the award, or after detection to secure a conviction, because of his inability to secure attendance at the court of the employee to give the real facts of the case. Officers of the department have had to contend with many difficulties. The industrial inspectors in Queensland are a very fine body of men—they know their work and their awards—but in order that their work be made more satisfactory it is necessary to pass through this House the Bill now under discussion. There must be provision for the infliction of greater penalties than those that exist. On many occasions the inspectors are forced to stay out all night, in order to secure evidence of a breach of an award. What is the use of sending inspectors to detect such breaches if, after action has been taken at considerable expense to the department and considerable inconvenience to its officers, a fine of £1 with 6s. costs of court is imposed? Under the circumstances the amount of the fine is altogether inadequate, and so long as such small penalties are inflicted by the court no attempt will be made in many quarters to observe the provisions of industrial awards. A greater penalty will be a greater deterrent to those who desire to infringe awards.

Mr. EDWARDS: By selling a loaf of bread to a hungry man.

Mr. BRASSINGTON: It is very rarely that the hon. member for Nanango displays common sense in this Assembly. Hon. members opposite cannot have it both ways; what is their attitude towards the criminal law? When a person is robbed of a sum of money, do they not ask that he be given the protection of the police force and the law? Assuredly they do. If the law is to be invoked to secure conviction in that instance, why do hon. members opposite hesitate to invoke the facilities of the law to secure a conviction for a breach of an industrial Act or award? They cannot have it both ways. They cannot demand that the civil and criminal law should be administered and at the same time argue that the industrial law should be neglected. If it be right that the civil and criminal laws should be enforced, it is also right that industrial law should be administered. It ill becomes hon. members opposite, by speeches and interjections, to endeavour to bolster up those who break the industrial laws, thus causing dislocation and confusion in industry.

Mr. NIMMO: Why did hon. members opposite not enforce them in the strike at the abattoir?

Mr. BRASSINGTON: When I was proceeding to deal with that incident I was informed by Mr. Speaker that the scope of the debate did not permit of my doing so; consequently I cannot answer the interjection of the hon. member.

Many of the difficulties that confront the baking trade can be laid at the door of a policy that is near and dear to the hearts of hon. members opposite.

Mr. NIMMO: That is not true.

Mr. BRASSINGTON: A policy of breaking awards by working employees longer hours than those prescribed by the award, if carried to its logical conclusion, must bring about intense competition and a considerable cut in the price of the article to be sold. That, in turn, must bring about the state of affairs that is complained of by hon. members opposite and which bakers and others throughout the city are asking the Government to rectify.

Mr. NIMMO: Do you not believe in a man's getting bread if he is hungry?

Mr. BRASSINGTON: The hon. member says, "Do I believe in a man getting bread if he is hungry?" I do, provided someone is kind enough to give it to him or sell it to him. From my experience of the hon. member, I do not think he would be good enough to show a little mercy in that way. If we are to get back to the position we

desire, and have sound administration of the industrial law throughout the State, the penalty provided for in this Bill is necessary.

I listened very attentively to the hon. member for Toowong when he was dealing with rationing, and I desire to say that here, again, I have had considerable experience in the Department of Labour and Industry, as a result of which I find that the opportunity to ration was exploited wherever possible. I recognise that there may be some argument for the introduction of rationing in times of acute depression, but, as hon. members opposite have admitted during the debate on this Bill, the Government's policy has resulted in the re-employment of thousands of people. Industry is again in a flourishing condition, on their own admission. I submit, therefore, that it is a sound and good principle for the Government to return to the pre-depression position with regard to rationing. If, as hon. members have pointed out, conditions have improved in this State to such a remarkable extent, the time has come for some reform in the principles of rationing. The Secretary for Labour and Industry made it clear to hon. members this morning that the number of persons covered by rationing permits has decreased each year. Taking that as a guide, it is very evident that the need for rationing no longer exists, and I subscribe to the Government's policy. Hon. members opposite have advanced no argument and shown no reason for its continuation; consequently we must be guided by the facts of the case as they are.

Mr. MOORE: We have not spoken yet.

Mr. BRASSINGTON: The hon. gentleman has not spoken because he had apparently been removed from leadership for an hour or two this morning, but the hon. member for Toowong, who led the debate for hon. members opposite—and I take it he speaks for the Leader of the Opposition, seeing that he had his place—advanced no sound argument why the provisions for rationing should not be reviewed and considerably altered.

I am glad to see that the Government still subscribe to the principle of arbitration. I add that on the one hand are we who stand for arbitration and tolerance, and on the other hand are those opposed to that principle, the Communists and the Tory party represented by hon. members opposite. They have joined forces and are determined to defeat arbitration, if that is possible, and return to the state of affairs that existed prior to the introduction of this splendid principle. The people have to choose between that policy and the policy of this Government, and I believe that, when the time comes, they will support the Government and the policy of arbitration that stands for tolerance, progress, and justice.

Mr. NIMMO: Are you a Socialist or a Communist?

Mr. BRASSINGTON: The hon. member asks: Am I a Communist or a Socialist? I am a member of the Australian Labour Party. I have signed its platform and subscribed to its principles. I support a party with a platform and policy. Hon. members opposite have none, and when they endeavour to harm this Government or a splendid institution like the Industrial Court they have no hesitation in throwing their belief in a particular organisation overboard and joining forces with the Communists for the purpose of creating disorder and confusion throughout this State.

Mr. JESSON (*Kennedy*) [12.35 p.m.]: I support the Bill introduced by the Secretary for Labour and Industry, particularly with regard to the penalty to be imposed upon the breakers of industrial laws, whether they be employees or employers. A great many tradesmen and business people in my electorate alone will welcome the penalty clauses in the Bill for the simple reason that there are unscrupulous employers and in some cases unscrupulous employees who will work against the best principles of unionism and against the industrial laws by plying their callings all hours of the day and night.

An OPPOSITION MEMBER: You did it.

Mr. JESSON: I was forced by the Moore Government to do many things. I have gone to considerable trouble to trace the history of industrial legislation in this State, practically from its inception in 1908. The real principles of arbitration were first introduced to this House by Mr. E. G. Theodore in 1915. The Act of 1916 repealed "The Industrial Peace Act of 1912," which in turn repealed "The Wages Board Acts of 1908-1912." I have read the debates on the relevant occasions when those Acts were considered by this House and I have discovered that exactly the same tactics were adopted by hon. members opposite as I have beheld since I have been in this House. They have always advanced suppositious cases, all with the object of side-tracking the Bill and preventing its passage into law. They have inevitably worked themselves into a groove from which they cannot emerge, so that to-day instead of welcoming a Bill that will undoubtedly be of benefit to the community as a whole they are prepared to hold up the business of the House. It is significant that from 1908 up to the present time only two members of the Nationalist Party have survived in this House. That fact proves conclusively that the people are not prepared to give much credence to the statements that were made by the original members of the so-called Nationalist Party. The two members who have survived are the Leader of the Opposition and the hon. member for Dalby, whilst on the Government benches are to be found quite a number of the old politicians who assisted to formulate the present industrial laws of the State.

Mr. RUSSELL: What about the hon. member for Toowong?

Mr. JESSON: If he was here when the industrial laws were first formulated then he did not have so much to say as he has to-day.

Mr. RUSSELL: What are you about to quote from?

Mr. JESSON: I am about to quote the remarks made by Mr. E. G. Theodore, Secretary for Public Works, in 1915, when he introduced the Industrial Arbitration Bill. He said—

> "It was industrial unionism that was being encouraged in the Bill they were discussing. It was the industrial unions that made arbitration possible. The arbitration system would not be possible if it were not for the co-operation of industrial unions. It was industrial unions that stood all the expense, that

prepared all the evidence, that cited cases to the court, and it was only the industrial unions that could do it. Where men in any calling were not organised, they could not go to the trouble or expense of preparing a case."

Even at that time, one hon. member opposite admitted that industrial unionism was very necessary.

Mr. NIMMO: Is he the same gentleman who is employing hundreds over in Fiji?

Mr. JESSON: I have no doubt that if Mr. Theodore remains long enough in Fiji he will establish an arbitration court there.

Mr. SPEAKER: Order! A very deliberate effort is being made this morning to prevent the hon. member from making his speech. He is endeavouring to make his remarks relevant to the principles of the Bill and I hope that hon. members on my left will desist from their attempt to distract him.

Mr. JESSON: One or two hon. members opposite, by way of interjection, have referred to the facilities available to the working man or the starving man to get a loaf of bread. For the edification of hon. members opposite and to expose their insincerity and incompetence I should like to inform them that bread, butter, milk, and other similar commodities are "exempt" commodities. Hon. members opposite are prepared to make wild assertions instead of seeing to it that they have a thorough comprehension of the subject that they wish to discuss.

Mr. NIMMO: Did you not see where a man was prosecuted?

Mr. JESSON: For working before hours. I have offered that information for the edification of hon. members opposite. I have had the pleasure—on reflection, I do not think it was a pleasure—of reading the speech delivered by the hon. member for Toowong on the Industrial Conciliation and Arbitration Act of 1932. Throughout his speech he adopted exactly the same attitude as he has taken up to-day. He read whole slabs from the "Courier," the "Telegraph" and in some cases the "Standard," and quite a number of letters about various departments of State—in fact, he read from everything that had been bandied about the Opposition benches on which he could get his thumb. If the Government required any assistance to legislate on industrial matters, no constructive ideas have been offered to them in the present debate—a phenomenon of which I have found evidence during the whole period I have been in this House.

The Opposition accuse us of developing into a Nationalist Party. What sort of a party is theirs? They have not got behind us? The debate has revealed that the Opposition are opposed to any improvement in the conditions of the working man, despite the fact that last week they attempted to espouse the cause of the workers by contending for a greater reduction in the unemployment relief tax. Their stand on this Bill is altogether different. The other day I interjected that the Opposition did not know where they stood, because one minute they supported measures introduced by the Government and in another minute they opposed them. People who read the debates must have a confused idea of what the Opposition attempt for the benefit of the community generally.

As I have stated already in this House, the industrial trouble in the North has resulted from the actions of friends of the Opposition and the few members of the Communist Party. The Industrial Court and canegrowers have handled the dispute in a commendable manner.

Mr. EDWARDS: To the ruination of the farmers.

Mr. JESSON: Nothing of the sort. The hon. member has not much sympathy with the farmers. It is not the function of the Government to do anything. They have done their job by enforcing law and order and giving protection to the people in the canefields. A fortnight ago a remark was made by an hon. member that no hon. member on the Government benches was game to be present in the sugar areas whilst the trouble was on. At that time I was right in the midst of the dispute.

Mr. SPEAKER: Order! The hon. member is not dealing with the Bill.

Mr. JESSON: I thought that would happen, Mr. Speaker.

Mr. SPEAKER: Order!

Mr. JESSON: I welcome the Bill, because I know of many cases in the North where flagrant breaches of industrial awards have been committed, not only by employers, but—unfortunately—by employees also. The economic position of those employees has been exploited by unscrupulous employers, who have compelled them to do things that went against their grain. I know of employees who have worked from 6 o'clock in the morning until 12 o'clock at night, and of men who have signed for the receipt of less money than they were legitimately entitled to under awards. Their unscrupulous employers have competed unfairly with employers who have faithfully observed the wages and conditions set out in awards. The offenders, when prosecuted, have been fined 10s. for the first offence, and on their second and third offences only like amounts. The industrial inspectors became sick and tired of instituting prosecutions when such low penalties were imposed. Such penalties do not have a deterrent effect. The penalty of £100 provided under this Bill for the second and subsequent offences will probably have a deterrent effect on those unscrupulous employers who are supported by the Opposition, otherwise they would be behind this Bill. This provision will affect only those unscrupulous employers who "put their employees on the grid" because they are economically defenceless and are compelled to hang to their jobs like grim death. I welcome this Bill, even from that aspect alone. I know of a case in Ingham where an employer defied the law, but in doing so has assisted to bring about some of these amendments. His firm advertised in the paper that they would keep their store open on Saturday afternoon and night.

Mr. BRAND: Who were they?

Mr. JESSON: Frank Fraser and Co. They were fined £2 for a breach of the law. There will be a minimum penalty now which will deter such unscrupulous employers from breaking the law.

My only desire was to ventilate the case I have placed before the House, and I welcome the Bill from that aspect alone. My electorate is not a great industrial

centre. It is true that it contains several sugar mills in which the employees have reaffirmed their confidence in arbitration. The confidence of the workers in that system has not been shaken by agitators who were probably sent there by members of the Opposition and their Communist friends to spread propaganda against us.

The trouble in the sugar industry is being handled admirably by the Industrial Court. The effect of this Bill will be that the workers will have a definite number of hours of work, and instead of going back to the stores on Saturday afternoon and Sunday, enjoy that recreation to which they are entitled. The provision will also have the effect of creating more employment and is one of the election promises of the Labour Party brought into immediate effect.

Mr. RUSSELL (*Hamilton*) [12.51 p.m.]: I resent the accusation made against the Opposition that we are opposed to the principle of arbitration. As a matter of fact, our party is the author of arbitration in Australia, and the party opposite comprised its greatest opponents. I could place some interesting facts before hon. members if you, Mr. Speaker, would allow me to take up the challenge issued by the hon. member for Fortitude Valley, to declare our policy on arbitration; but I know you will not permit me to do so.

I cannot visualise how this Bill will bring about greater peace in industry. The law of arbitration and the awards of the court must be obeyed, and the Government must give the court the support necessary to enforce its awards. That is where the Opposition differ from the Government. Hon. members opposite do not believe in that. They say, "Let the court settle these disputes." I have always supported the principle that once the court has heard the evidence and adjudicated on a case, it is then out of its hands entirely, and its award is practically the law of the land, from which there can be no deviation. If certain anomalies have crept in, we are quite prepared that they should be rectified; but I cannot visualise any greater peace in industry as a result of the Bill than has been given to us by the Act as it stands.

The Minister quoted a long list of strikes that occurred during the Moore regime, as compared with the number that occurred after Labour assumed office in 1932; but he omitted to state the nature of those strikes, whether they were of long duration and the amount of loss occasioned to the community. I recall one big strike that occurred during the term of the Moore Government, and it was settled in a very short time although a great number of men were involved, and the cost to the State was trifling compared with the enormous cost of the two strikes that have recently occurred under the Labour regime. Those facts brush aside the statement made by the Minister that peace in industry was brought about by his precious Act of 1932, which he led us to believe was a paragon of all the virtues. The 1932 Act did not bring about greater peace in industry than the 1929 Act.

Unionists know very well when a Nationalist Government is in office it will see that the law is obeyed, and both parties must be brought to heel. We know very well, on the other hand, that Labour will not put the law into operation against its own voters; but will put it into effect against the employing class. Its idea of arbitration is altogether lopsided. Arbitration must confer equal rights on every citizen, and that was the intention of the early Arbitration Acts. In support of my statement that our party has always adhered to the principle of arbitration, I mention that Charles Cameron Kingston fashioned the first Arbitration Act, and on it all subsequent Acts have been based. We are strong adherents of the policy of arbitration—we always have been—but we do not believe in strikes. There should be no strikes whatever. If employers and employees have a grievance under an existing award they have their remedy. They can move the Industrial Court to hear their grievance, and have the alleged injustice removed. We deny to either party the right to inflict on the community the dastardly weapon of a strike.

Mr. SPEAKER: Order! The hon. member is very wide of the matters allowed in this debate.

Mr. RUSSELL: I thank you for your indulgence, Mr. Speaker, but it would be very difficult for me to remain silent, as we have been attacked by members on the Government benches without any warrant. The Government can rest assured that they will receive the whole-hearted support of the Opposition in any measure for the preservation of industrial peace, but we object to some of the pettifogging provisions contained in this measure that show the hand of the unions. The unions, not being content with the provisions of the 1932 Act, which has been claimed to be perfect, desire that further amendments be made in their interests. The hon. member for Toowong has dealt with the greater number of the proposed amendments very carefully, and I do not intend to weary the House with a long discourse on them, although most of the Minister's remarks were quite irrelevant.

Mr. SPEAKER: Order!

Mr. RUSSELL: The hon. gentleman set a very bad example this morning, and I desire an opportunity to reply to him.

Mr. SPEAKER: Order!

Mr. RUSSELL: The main amendment contained in the Bill is that which deals with the abolition of rationing. That system was introduced into the two previous Acts on humanitarian grounds. The Moore Government and their successors were of opinion that rather than that employers should dispense with the services of valuable employees—men, women, girls, and boys—during the depression, it would be humane to spread the available work over all of them. Most of the employees were agreeable to such a system. To me it is just and fair, and better than the rigid observance of the awards of the court, which determine that no employer can ration his available work without permission. The result has been that in a great number of establishments the employees have been retained, although at lower wages than formerly. These employees have been kept off the Government dole, and have been enabled to retain some of their self-respect. They have kept themselves proficient in the work to which they have been accustomed. Now—and probably at the behest of the

unions—the Government have been moved to abolish the system. The Minister gave no reason whatever why it should be done. He said that the number of persons affected had been reduced to 700. And because the number had decreased it was now not necessary to continue that policy. If only 700 people are implicated, there is all the more reason for the continuance of that humane system.

The SECRETARY FOR LABOUR AND INDUSTRY: In that 700 there are a number of abuses.

Mr. RUSSELL: There is much talk regarding abuse, but the Government have the necessary staff to deal with such abuses. If the abuses are not being rectified, then the Government are to blame. Surely the Government have officers enough to police the awards. That is no excuse for the abolition of rationing.

The SECRETARY FOR LABOUR AND INDUSTRY: That does not affect rationing at all. The inspectors have no jurisdiction.

Mr. RUSSELL: They have the jurisdiction inasmuch as they can report to the registrar and that official would take suitable action when cases were reported of employers abusing the privileges granted them under the rationing system. That is a nonsensical argument. Moreover, a great deal of delay and red tape is involved. The employers have to give good reasons before a permit to ration their staffs is granted. I could never see the justice of that. If an employer, from humane motives, thinks it wise to spread the work over the whole of his employees rather than dispense with the services of any of his staff, he should be allowed to do so, provided he pays the award rates for the time occupied by the staff in carrying out their duties. This difficulty of getting permits may account for the fact that there are only 700 employees rationed to-day as against some thousands some years ago. The employer will not go to the trouble and practically humiliate himself by asking the court to grant what is looked upon as a favour but which is not. He should be allowed to conduct his business in his own way. I have always considered it an unwarranted interference with the undoubted right of the employer to run his business in his own way provided he paid award rates to the employees. For that reason I have never held with the system that obtains to-day, yet while it has that defect, the Government are taking the wrong action in abolishing even that system. The fact that employers have been put to this trouble and been humiliated when asking for this privilege has resulted in the discharge of a great number of people. The employer simply takes the line of least resistance and dispenses with the services of some of his hands. The majority of employers are decent men who desire to retain the services of their employees if they possibly can.

As I have said on several occasions, the award rates for juniors are undoubtedly high, and this has resulted in the dispensing with the services of hundreds, perhaps thousands of juniors who otherwise might have been employed. This would undoubtedly have been so if the increases were not so steep and the conditions concerning the rationing of employment had been made easier. The employer should have been allowed to ration his employees for as long a period as he considered necessary without having to obtain permission, provided he paid award rates. The Government propose to abolish the system of rationing, but they have given no valid reason for doing so. I submit its abolition will throw more people on to the unemployed market—the very thing we wish to avoid. We desire to prevent people from being thrown on to the industrial scrap heap and forced to subsist on Government charity or take advantage of relief schemes. Would it not be far better if these people were kept even in part-time employment, provided the employer were willing? It is economically unsound and does not pay the employer to ration his staff. Everybody would be better off and his business would be run more efficiently if all his hands were permanently engaged. Rationing has never suited the employer and has only been used by him from motives of common humanity, so as not to dispense entirely with the services of the people for whom he has regard and who have rendered loyal service to him in the past. Unfortunately, the stress of the times has practically forced him to shorten his staff year after year, and despite any figures that have been cited with regard to unemployment, the increase in employment in private business is disappointing in the extreme. We are going to aggravate the evil by preventing the employer from rationing his staff. I do not know where the move originated, but I can hardly believe that the Government, of their own volition, are in accord with this. There must be some pressure from outside. The only thing I can say is that whoever is responsible for it is doing the wrong thing by both employer and employee. I very much regret the inclusion of such a drastic clause in this Bill. After all, it is the main feature of the Bill, and the Opposition are entirely opposed to the abolition of the principle, that we included in our Bill at the time, in the belief that it was a wise and humane move to keep people in useful employment. We hoped that the time would come when rationing would disappear not by Government action but the action of the employers themselves.

The SECRETARY FOR LABOUR AND INDUSTRY: We think the time has arrived.

Mr. RUSSELL: I can assure hon. members that the time has not arrived, that we are far from it. We are forced to adopt the rationing system to-day, much as I regret it. I am conversant with conditions outside, and I can assure the House that the time has not arrived when we should abolish rationing. When the time comes its abolition will come of its own accord. The employers will gladly welcome the day when they can do away with the system of rationing, because it is not suitable to their businesses and is uneconomic.

A GOVERNMENT MEMBER: That is a contradiction.

Mr. RUSSELL: There is no contradiction. The employers are carrying on under the rationing system from motives of necessity, although it is uneconomic. I contend, therefore, that rationing should be made easier and that employers should be allowed to carry on, even without getting a permit. They should be allowed to conduct their businesses and employ their hands in the

way they think best themselves, provided the department approves, and award rates are observed.

I come now to another provision in the Bill which is really an interference with the court. The Bill itself is contradictory. In more than one clause it proposes to increase the discretion of the court as to overtime rates and in another clause it takes away some of the powers that the court has to-day. The Labour Party has been noted for that system for quite a long time. Hon. members opposite preach about their democratic ideals and the wonderful legislation that they have passed during the last few years, but year by year they whittle away the privileges conferred by their legislation. I am a strong believer that the Industrial Court should be absolutely free and untrammelled, and apart from political influence or patronage. The difference between our Act and the industrial legislation introduced by the Labour Government is that we recognised that there are two sides to the question. Hon. members opposite see only one side. Theirs is a lopsided democracy. We consider that the court should have full power to deal with overtime rates and holidays, and that there should be no attempt in legislation like this to whittle away its powers. If you approve of a court then you must give it full power. While the court exists it should be given full control over arbitration, and no Government should endeavour, as the Labour Party does, session by session, to interfere with the powers of the court. I am quite prepared to allow the court to settle the question of holiday and overtime rates. The Bill itself is contradictory. On the one hand it takes away powers and on the other gives an increased discretion. Have hon. members opposite no faith in the court? With all their prating about their belief in the court, why are they not prepared to give it a free hand to deal with these questions? It is our intention to oppose these clauses in the Bill, preferring to give the court a free hand to deal with all questions affecting arbitration. To my way of thinking, the 1932 Act is imperfect, and not an improvement on the 1929 Act, and this Bill is going to make the 1932 Act more imperfect. The proposals are pettifogging in the extreme, and for the life of me I cannot see how the new provisions will bring about the industrial peace that we so much desire. We certainly know that we are not going to have industrial peace if the Government interfere with the court as they are doing. I want to give the court greater powers. I want to see the court in a position in which it will prevent a recurrence of disastrous strikes. There should be some authority behind its awards so that they can be carried out in their entirety without any Government interference. The Government say that the court has the authority.

Mr. GAIR: What clause is that in?

Mr. RUSSELL: The hon. member for South Brisbane is not Mr. Speaker.

Mr. GAIR: What clause is that in?

Mr. RUSSELL: I am taking my directions from Mr. Speaker, not from the hon. member for South Brisbane. I want the court to have full power, not to have its powers whittled down, as the Bill proposes to do.

[*Mr. Russell.*

Mr. GODFREY MORGAN (*Dalby*) [2.12 p.m.]: I listened very attentively to the Minister in charge of this Bill. He roamed about from place to place. He spent about three-quarters of an hour in dealing with matters that are not contained in this Bill. He told us a lot of things appertaining to arbitration generally. He endeavoured to show by figures that more strikes occurred during the period of the Moore Government than in the last three years of Labour regime. He forgot to tell us about the time—we all remember it very vividly—when there was a big railway strike, and when the Labour Government sacked and put out of work 20,000 railway employees.

Mr. SPEAKER: Order! The hon. member must know that he must confine his remarks to the principles contained in this Bill.

Mr. GODFREY MORGAN: Yes.

Mr. SPEAKER: I hope he will deal with them.

Mr. GODFREY MORGAN: I intend to deal with them. I ought to be allowed to refer to certain figures used by the Minister in moving the second reading of this Bill. I want to show whether those figures are correct or otherwise, or whether the Minister was fair to this House. I claim that the Minister deliberately—and I use that word advisedly—set out to mislead this House by quoting certain figures. He said that in 1929 and in 1930 so many strikes occurred, so many people were directly affected, and so many people were indirectly affected. Everything went along smoothly until he came to 1935. He then deliberately told this House that a certain number of strikes had taken place in 1935, but he refrained from stating the number of people directly affected or the number of people indirectly affected in those strikes. Had he given those figures he would have shown conclusively that so far as the two regimes were concerned there were more strikes, more people directly affected, and more people indirectly affected during Labour's regime than in the Moore regime. The Minister endeavoured to show to his own satisfaction that fewer strikes took place under the Act passed by his Government than the one passed by the Moore Government.

Mr. GAIR: What has that got to do with this Bill?

Mr. GODFREY MORGAN: Mr. Speaker will say whether I am in order or not. It is no use the hon. member crying out, "What has that got to do with the Bill?" Mr. Speaker will certainly call me to order if I am not in order.

Mr. SPEAKER: Order! I shall be able to attend to that. The hon. member must address himself to the Bill.

Mr. GODFREY MORGAN: That is so, Mr. Speaker. I am sure that with your ability you will be able to discharge the functions of the Chair. I object to the hon. member for South Brisbane interjecting parrot-like as to whether I am in order or not.

Mr. GAIR: You cannot square off that way.

Mr. GODFREY MORGAN: We know perfectly well that no matter what Act may be on the statute-book, there will always be strikes. No Government in Australia or throughout the world have been able by

legislation to prevent strikes. There are more strikes in Australia when a Labour Government is in power than when a Nationalist Government is in power, simply because the men connected with those strikes feel they have a certain amount of privilege. The opposite should be the case. If a Labour Government is in power it should be treated by the workers with greater consideration than a Nationalist Government.

Mr. GAIR: Tell us something about the Bill.

Mr. SPEAKER: Order!

Mr. GODFREY MORGAN: They trade upon the fact that a Labour Government is in power, and set out to gain conditions irrespective of whether the Act entitles them to those conditions or otherwise. They believe they will be more liberally treated if they go on strike during a Labour regime than during a Nationalist regime.

Mr. GAIR: You have memories of the guns.

Mr. GODFREY MORGAN: Didn't your Government send police to the North to use guns against the strikers and baton them?

Mr. SPEAKER: Order!

Mr. GODFREY MORGAN: What is the use of the hon. member's talking? He was not born then or was so young that he did not know much about it. He can see from the records that a Labour Government used guns and batons just as much as a Nationalist Government.

Mr. GAIR: That is not true.

Mr. SPEAKER: Order! I suggest that hon. members on my right refrain from interjecting and drawing the hon. member for Dalby off the track of his subject. I ask the hon. member himself—and this will be the last time I shall ask him—to confine his remarks to the principles of the Bill.

Mr. GODFREY MORGAN: I will endeavour to do that, Mr. Speaker; but if hon. members opposite interject I must reply.

I do not know whether I should be in order in referring to certain remarks of the Secretary for Labour and Industry during his second reading speech. I should like to have a ruling on that matter, Mr. Speaker. Should I be in order in pointing out that those remarks are not in accordance with facts or must I confine myself solely to the Bill?

Mr. SPEAKER: The hon. member knows the principles contained in this Bill, and he knows what is relevant to the debate.

Mr. GODFREY MORGAN: The object of the Bill is to cause greater penalties to be inflicted upon persons who break the industrial laws. The hon. member for Fortitude Valley who, according to his statement this morning, carried out the duties of industrial inspector for a certain period, found that the magistrates were in the habit of inflicting light fines. The Bill provides a certain minimum and maximum fine, from £5 to £50 and from £10 to £100 for certain offences. That margin reminds one of sentences for graft in America, where they range from one to ten years, and then the politicians get to work to bring about the release of the person imprisoned. The Bill provides for a minimum fine of £5 for offences such as selling a loaf of bread or a pound of meat after hours to somebody probably on the verge of starvation. The Minister desires to make the fine heavier in order that people will not be able to do that sort of thing.

A GOVERNMENT MEMBER: That is not true.

Mr. GODFREY MORGAN: Of course it is. In many cases where the person is charged with selling a loaf of bread after hours the magistrate—justly so—imposes a very slight fine; but apparently that is not in accordance with the principles of the Labour Party. They wish to stop that.

The SECRETARY FOR LABOUR AND INDUSTRY: We desire to compel the observance of our awards.

Mr. GODFREY MORGAN: The hon. gentleman should know he is out of order in interjecting and he should listen to my speech. The reason for the introduction of this Bill is that the fines inflicted by magistrates have not been in accord with the principles of the Labour Party.

The Minister stated that this Bill would help to prevent strikes and would be in the interests of the workers generally. I am not of that opinion. Magistrates are appointed to carry out certain duties, and they often inflict very low fines; but I do not think any fine is too low for an offence such as selling a hungry person a loaf of bread or a pound of meat. The effect of this Bill will be to compel the magistrate to inflict a fine in accordance with the provisions contained in this Bill, which are in accordance with the ideas and principles of the Government.

I would welcome many alterations in the Industrial Conciliation and Arbitration Act which would have the effect of creating employment. The Minister rightly stated that the basic wage of £3 14s. for Queensland was the highest in the Commonwealth. That is true, and it was so also during the Moore regime. It is well known that the basic wage fluctuates in accordance with the cost of living figures. The Government are not justified in interfering with the Industrial Court's fixation of the basic wage, in regard to which pamphlets were circulated.

Mr. SPEAKER: Order!

Mr. GODFREY MORGAN: The Minister and other hon. members who have spoken have stated they were not in favour of the Government's interfering with the functions of the court. We on this side also contend that the Government have no right to interfere with the court regarding the fixation of the basic wage. The Industrial Court should be free and untrammelled, and should arrive at their own decisions. It has been conclusively proved to-day that during the term of the Moore Government, as at the present time, the basic wage for Queensland was higher than that fixed in the other States. The Moore Government have been accused of reducing wages, but in view of the statements the hon. gentleman has made the conclusion is inescapable that any such accusation may also be levelled at the present Administration.

Mr. SPEAKER: Order! If the hon. member does not deal with the principles contained in this Bill I shall be reluctantly compelled to request him to resume his seat and discontinue his speech.

Mr. GODFREY MORGAN: The principles contained in the Bill have been practically all dealt with.

(At this stage a sheaf of papers was thrown on to the floor of the House by a woman sitting in one of the public galleries.)

Mr. MOORE (*Aubigny*) [2.27 p.m.]: The Minister did not supply the House with any reason for the two major principles in the Bill. Those abolishing rationing and fixing minimum penalties for breaches of awards. There is also the drastic alteration dealing with the method of computing overtime.

Mr. SPEAKER: Order! I ask the police to remove from the gallery the lady responsible for the interruption to the proceedings of the House.

Mr. MOORE: The section dealing with overtime gives to the court the power to fix whatever it considers reasonable or fair in the way of overtime—whether double time or treble time, or whatever it likes. One of the greatest difficulties in arbitration is that there is an ever-growing opinion that the Industrial Court is more or less a tool of the Government. That is a great pity. The Industrial Court should be left entirely unfettered and untrammelled. That is the trouble we get into when responsible members of the Government make very definite statements regarding the deflationary policy of the Moore Government. That Government had nothing to do with the Industrial Court at all in connection with the reduction of wages. Nothing was said about the reduction of the basic wage in the Federal sphere by the Commonwealth Court of Conciliation and Arbitration. No blame was laid at the door of Mr. Scullin for the deflationary attitude of his Government.

The SECRETARY FOR LABOUR AND INDUSTRY: Your Government applied to the court for a reduction.

Mr. MOORE: In my opinion it is quite wrong to pretend or to keep on suggesting that the court is carrying out the wishes of the Government. Every act that the Government commit that throws discredit on the court and every suggestion that it is not doing the right thing interferes with the success of arbitration. In 1934, in a speech on "The Problems of the Unemployed," delivered at Bundaberg, Archbishop Duhig had this to say—

> "We cannot free our minds of the impression that the whole matter of employment and wages is seriously mixed up with politics."

The sooner the Government face that issue, and the farther their attitude causes the people to move from that opinion the better for arbitration. To-day the Minister has reiterated the assertion that if arbitration is to function there must be a concomitant obedience to awards, and that that was one of the reasons for introducing into this Bill a clause fixing minimum penalties. That may be perfectly justified, but why should its operation be one-sided? That is our objection to it. If the ideal of the Bill is to make for the better observance of awards it should not be a one sided provision. There should be a clause in the Bill, and the Minister would do well to see that it is inserted, enabling the court to defend itself when awards are deliberately and openly flouted. We have definite statements being made inciting to the breaking of an award relating to influential unions and no notice taken. Take the strike at the Brisbane Abattoir. In response to a question, Mr. Carney admitted that a ballot, which was taken some months ago, indicated that the organisation was against direct action—

> "'But,' he added, 'Ballots are like the rules of an organisation; they are directions to cover periods that are normal. The position in the industry at the present time is abnormal. If we are compelled to go on strike, I say decidedly, 'Yes.' As for being compelled to go before the court, we are not compelled to go there. They can compel us to obey a summons to a compulsory conference, but they cannot make us take part in the business if we do not want to. We have tried that out before, and the court has been only able to blow its bellows out like a jack frog. They will say, 'What have you to say?' and our reply will be, 'We have come here to save £100 fine on ourselves or the union.'"

An open and direct flouting of the court! Not one action was taken by the Government or the industrial inspector or anybody else to uphold its dignity or the principle of arbitration. The Minister says he is inserting the provision as to penalties for a particular purpose, but apparently has only one side in view. He says that the industrial magistrate, after hearing evidence on both sides and considering the position, is wrong if he inflicts too light a fine. Why should the Minister take up the attitude that the man who hears the case is not in a position to arrive at a judgment as to what is a just penalty? One has only to remember what is happening at the present time to appreciate the Minister's outlook. One would think that an Act of Parliament was apparently only enforceable against one section of the community. In last Saturday's "Telegraph" the following two paragraphs will be found:—

> "BREACHES OF AWARD.
>
> "FIVE BAKERS FINED.
>
> "Five bakers were convicted and fined in the Industrial Magistrate's Court to-day for breaches of the bakers' award. Mr. M. J. Hickey, Industrial Magistrate, was on the bench.
>
> "Elias John Henry Bedgood, of Isaac street, Paddington, was fined £5 with 6s. costs, in default imprisonment for one month, for having delivered bread on Sunday, 11th August."

The SECRETARY FOR LABOUR AND INDUSTRY: That was a contravention of the award.

Mr. MOORE: Was not the abattoir strike a contravention of the award? Is not the sugar strike a contravention of the award? When an individual openly defies the court is no action to be taken by the Government? Does not the Act say that a man who openly breaks the award shall be liable to a penalty of £10? Does it not show the necessity for some action so that this penalty shall be enforceable not only upon the unfortunate man who sells a loaf of bread? We find that a painter was fined

£1 14s. because he painted on Saturday morning. Three more did the same thing, and we find that another man, because he gave employment to two minors over the age of sixteen, was fined £1 14s. with 6s. costs. Those are all on the one basis. A man comes into a court house and says, "Here are £60,000 worth of fines. Get them!" And no action is taken! There is an opportunity for the Government to take action, but they do nothing. They tackle the individual painter, who is employing two boys who are over sixteen and fine him £1 14s. and costs. They fine a man who does not give preference to somebody under the building trades award and the man who does a bit of painting on Saturday morning, but in a real industrial disturbance the Government are absolutely supine and no action is taken. That, to my mind, is wrong.

The SECRETARY FOR LABOUR AND INDUSTRY: Did you fine any of those unionists who were on strike in your time?

Mr. MOORE: We did not have to.

The SECRETARY FOR LABOUR AND INDUSTRY: I pointed out where you had twenty more strikes than we had over the same period and not one fine was imposed.

Mr. MOORE: The hon. gentleman's information was not very accurate to-day. He stated this morning that we had "outlawed" 40 per cent. of the industrial workers in Queensland. That is quite untrue. The total number who were denied access to the Industrial Court amounted to 21.6 per cent., and 15.5 per cent. of those were public servants in the employ of the Government. The hon. member for South Brisbane, in his hysterical exuberance, made similar statements in the South Brisbane City Hall on the 24th April, 1935. He said—

> "After promising to stand to the principles of arbitration, the Moore Government had promptly cancelled awards, and before they were flung out of office by the disgusted electors, over 40 per cent. of Queensland workers were denied the protection of the industrial law."

On the 2nd he said—

> "Mr. Moore got into power in 1929 on the strength of his promises. He promised to stand by the principle of arbitration, but promptly cancelled awards, and before he was flung out of office by an enraged electorate, over 50 per cent. of Queensland workers were denied the protection of the industrial law."

Both statements are entirely wrong. If we are going to establish arbitration as an institution, we shall have to inculcate into the minds of the people a recognition of the principle that the Industrial Court must be free and untrammelled, guided by the evidence placed before it, and not influenced by any Government that happen to be in power. No Government, at any time, should have any wish to impose any fetters on the court. In his last annual report, Mr. Story, the Public Service Commissioner, said—

> "Industrial evolution has transferred the fixing of State wages, salaries, hours, and general working conditions to Industrial Tribunals and to conferences under the aegis of these tribunals. But much can be said in support of a system which admits of the making of sound awards based upon carefully marshalled facts and logical argument; and much can be said against a system which admits of determinations based upon sectional policy, departmental caprice or ancient precedents. Now the onus is upon employer and employee to have their cases presented properly to the tribunals."

That should be the basis of arbitration. There should not be any question of the Industrial Court's being influenced by whatever Government are in power as to what action it should take. If, on the facts and figures placed before it, the court decides to reduce wages it should not be broadcast that it is done because of the deflationary policy of the Government in power for the time being, and if, on the other hand, the court increases wages or reduces hours, it should not be proclaimed that that stands to the credit of the Government. If either is done the whole system of arbitration will be brought into contempt in the minds of the people. It suggests that the Industrial Court is not guided by the evidence placed before it but is influenced to do the things that will please the Government of the day. I do not suppose that any hon. member desires the court to be placed in such a position that its actions are influenced by the Government in power.

Mr. POWER: A member of your Cabinet said that he would ringbark the Industrial Court.

The SECRETARY FOR LABOUR AND INDUSTRY: What about section 62 of your own Act?

Mr. MOORE: I am endeavouring to give my idea of the principles of arbitration. I think that the fetters placed on the court are wrong.

Mr. SPEAKER: Order! The hon. gentleman will not be in order in dealing with what he considers should be in the Bill. He will be in order only in dealing with the principles contained in the Bill.

Mr. MOORE: In this Bill the Government propose to take away from the court two very definite powers it exercises to-day. The court has the right to consider these questions and the opinions of the employer and the employee must be respected. The relevant sections specifically state that the opinion of the employees shall be considered and that the employers shall have the right to place their case before the court. Then, the court, as Mr. Story points out, is at liberty to arrive at a definite and logical conclusion in accordance with the evidence submitted to it. Why should the Government now step in and say "No matter what evidence is placed before the court, no matter what reasons are adduced to actuate it in arriving at its decision, we consider that the court should not be in a position to agree to the rationing system even if it thinks it is necessary." The fundamental basis underlying the rationing system is the question whether the court is of the opinion that unemployment will be increased if the system is not adopted. The court has to consider whether at a given time, it is more humane to allow a more equal distribution of work than exists. Time after time the Government have adopted the rationing system in the Ipswich railway workshops, not with the permission of the court, but of their own volition because they consider it was more humane to do that to keep some

of the employees working on full time whilst others were out of work. What are the Government going to gain by saying to the court, "We consider that you do not know your business. You are incompetent to carry out your duty. We are to be the judges as to whether the reasons placed before you are satisfactory or not: consequently we prohibit you from exercising your jurisdiction in respect of a very important matter"? Only 700 employees may be affected by the rationing system to-day, but nobody knows what may happen in six months' time. Nobody knows how conditions may change from day to day, how markets may rise and fall and what are to be the ruling prices for wool. You, yourself, Mr. Speaker, have stated in this House that the price of wool is a very important index to the prosperity and unemployment in the State. Why should the court not be allowed to take cognisance of a big drop in the price of wool? It may be necessary, for humane reasons, for the court to approve of a permit for rationing in such circumstances. Why should it not have that opportunity? What is to be gained by stepping in in times like these—probably at some outside dictation? What is to be gained by the Government in running contrary to the opinion of the court and to the opinion of the public because they feel obliged to step in and say to the court, "You are not allowed to do this under any consideration—no matter what evidence may be placed before you"?

In exactly the same way the fines or sentences imposed by an industrial magistrate or a court are supposed to be dictated by considerations of justice, according to the class of offence committed. When all the evidence is placed before the industrial magistrate he carefully weighs it. If he considers that it is a very trivial offence, he imposes a trivial fine. If it is not a trivial offence, he imposes a heavier fine. The Minister now says, "Well, we will not let the court do that. We will step in, and no matter what the evidence may reveal the court must do so and so." The reason he gave us for that amendment was that industrial inspectors are put to some trouble and expense in bringing breaches of awards before the notice of the court, and that the inspectors consider, from their point of view, that the fines inflicted should be heavier. There is the other point of view. The industrial magistrate presides over the court to adjudicate on the two points of view submitted to him. It is not a question of what the industrial inspector or the Minister thinks, but what is fair between the two sections, after both have given evidence. The former of those two principles is a wrong one to incorporate in the Bill.

I quite agree with the suggestion that the court should have the right to fix what it considers best in respect of overtime rates, whether it should be time and a-half, double time, or treble time; but I do not quite know why it should be necessary to make the alteration under the present circumstances. It may be that there has been a misapprehension in regard to the ordinary circumstances under which overtime is worked—that is, as to whether in a given case it should be time and a-half, double time, or treble time—but I cannot see that is very much reason for the alteration. I do not object to the court's being given power to fix the overtime rates. I do not object to the court's being given full power in respect of all these things. The court should have full power to do these things, and when it has made a decision the Government should uphold its position. When a man breaks the law, as in those cases I quoted from last Friday's "Telegraph," in which a painter was fined for working on a Saturday, another man was fined because he came on a job too early, and another for employing certain minors, the industrial inspector took action in those cases immediately. But when it came to the question of the Northern sugar strike, or the strike at the meatworks where unions were interested, none takes action! I know perfectly well that the court has the right to call a compulsory conference of its own volition. What happens under all the circumstances? When the court gives a decision or imposes a fine and its order is ignored it is left in the air. The police, the industrial inspectors, or somebody else should take action at once. I cannot see how the Minister can compel observance of an award unless he is going to cause exactly the same action to be taken against the organisation that breaks it as against the individual who breaks it. It does not make any difference whether 1,000 or 100 people refuse to obey the law. If we cannot compel observance of the law because a large number of men break it, we must do away with the law, for such action brings the system of law into contempt.

In this Bill the Minister is making provision for a minimum fine for the first offence as well as a minimum fine for the second offence, but it is only enforcable against one section, entirely ignoring the whole unfortunate position we have to put up with.

The SECRETARY FOR LABOUR AND INDUSTRY: It also provides for a minimum fine for breaches of the awards by employees.

Mr. MOORE: But it is not enforced. If an industrial inspector, the police, an industrial union, or somebody else does not take action to apply to the court to see that an award is enforced, is everything to be allowed to stand where it is and nothing happen? That is the position at which we have arrived. On the one side industrial inspectors and police take action immediately a breach of an award takes place on the part of an employer, who is brought before the court and fined; on the other, when many men are involved, and large numbers of people are disastrously affected by their actions, nothing happens. Surely no one can stand for a system of arbitration where that discrimination exists? It may be difficult to enforce the law in that case, but surely it should be somebody's duty to do so! I cannot understand the Minister's bringing in an amendment of the present Act making it compulsory to abide by an award if compulsion is to be applied to only one side. Obviously this clause can only operate against one side.

The Minister is bringing in an amendment of a very important Bill. The ramifications of the Industrial Court affect practically every industry in Queensland, and may affect the prosperity of whole sections of industry, and made it impossible for an industry to carry on.

A GOVERNMENT MEMBER: That is not right.

Mr. MOORE: It may do that. One Arbitration Court judge very definitely said, "If an industry cannot carry on under the award, let it go out!" If we are going to have arbitration we must inculcate respect for it, and the law must be so administered that men cannot break the law openly and with impunity.

A GOVERNMENT MEMBER: You never showed any respect for it when you removed 18,000 men from it.

Mr. MOORE: If the hon. member looks at the fifteenth annual report of the Public Service Commissioner, he will notice that on page seven the following statement appears:—

> "In opposing the claims generally, I emphasised—(*a*) That the reductions under the Financial Emergency Acts had been less drastic in Queensland than in other States."

I quote that because hon. members are continually harping on the question of the deflation policy of the Moore Government. I am not concerned with their remarks, but I am concerned when a Bill is brought down for a specific purpose, and I see that specific purpose being evaded and flouted in every possible way. I can see that one individual is pounced upon immediately and that even an industrial union is asked to send a man to try to catch the individual offender. During the abattoir strike, when the unions suggested that the award was being evaded, the Premier said to them, "Why don't you go down and catch them and report?" Mr. Carney said, "It is the first time a industrial union has been asked to fill the office of industrial inspector. It is being asked to do the work of the industrial inspector." The court does not command that respect it ought to because the Government do not stand behind it and protect it from being openly flouted. If we are going to have arbitration the court should have the fullest power, and it should not be flouted. If the system of arbitration is to enjoy the confidence of the people we should have officials whose duty it would be when the court gave a ruling to see that that ruling was observed, and that those who disobeyed that ruling were prosecuted. If the court has not power to enforce its awards it is not much use tinkering with arbitration.

Some of the unions have declared that they are definitely against arbitration. This Government apparently think the court is not competent to carry out its work because they put restrictions and fetters upon it that are quite unnecessary. If the provision is to be applicable it must be applicable equally and generally to both sides in any dispute. No matter whether it is pleasant or unpleasant, or whether the Government lose votes, the upholding of the law is the main principle. If the Government cannot administer it, let them alter it; but when a law is on the statute-book it must not be administered only against one party. If this policy is not carried out the industrial position will not be any better than it would be if there was no court, because it creates a suspicion that the people are not getting a fair deal. It is the duty of the Government to ensure that whoever comes before the courts will have his evidence carefully weighed and the decision will be in accordance with the evidence placed before the court, irrespective of any suggestion the Government may make and irrespective of whether it pleases or displeases the Government. The court should be left untrammelled, and the Government should stand behind the court to see that its decisions are obeyed. A Bill of this nature will take away that power, which to my mind, is very necessary.

A GOVERNMENT MEMBER: Your Government cancelled the rural award.

Mr. MOORE: Of course, they did. If the hon. member will throw his mind back to 1916, when the Industrial Arbitration Act was enacted, he will find that that measure, introduced by a Labour Government and not a Nationalist one, contained a section providing for the exemption of any section of the community by Order in Council if the Government deemed it necessary or desirable in the interests of the people.

Mr. SPEAKER: Order!

Mr. MOORE: The Government of that day took advantage of that section.

Mr. SPEAKER: Order!

Mr. MOORE: But that makes no difference so far as the administration of the Act is concerned. It is infinitely better to exempt a section of the community if the Act cannot be administered than it is to have a statute that has to be administered in a one-sided fashion. That is the principle we object to, and it is wrong; but it is to be found in the Bill before the House. In one direction the Bill has not gone far enough; in the other it has gone too far.

Mr. MAHER (*West Moreton*) [2.55 p.m.]: Many inaccurate statements have been made in speeches in this House, but this morning the Secretary for Labour and Industry was guilty of one of the greatest of inaccuracies when he asserted that members on this side of the House were opposed to arbitration. That is quite wrong, and I invite the hon. gentleman to produce his evidence. When replying, he should state his basis for that statement and show where any opposition to arbitration as a principle has ever been expressed from any responsible quarter of the party of which I am a representative.

The SECRETARY FOR LABOUR AND INDUSTRY: Your Government exempted 40 per cent. of the industrial population from the operations of the Act. By an Order in Council they deliberately took them out of the ambit of arbitration.

Mr. MAHER: The exemption from awards of certain industries arise from conditions that were peculiar to 1930 and 1931. That does not prove—nor even indicate—that members on this side of the House are opposed to the principles of arbitration.

Mr. SPEAKER: Order! The hon. member must confine his remarks to the principles of the Bill.

Mr. MAHER: I had to reply to the hon. gentleman in order to make the point clear. The basis upon which this Bill rests, as has been just now emphasised by the Leader of the Opposition, is one-sided arbitration. The Industrial Court hears the evidence for and against and gives its award, but it is only one of the parties affected who have to abide by that decision. To that extent the whole principle of arbitration falls into disrepute. At the annual

conference of the Australian Railways Union a resolution was passed in definite opposition to the principles of arbitration. There must be some reason for this dissatisfaction, even amongst the organised workers, when a large organisation such as the Australian Railways Union passes a resolution condemning the principle of arbitration and pledging themselves to remove it.

Mr. SPEAKER: Order! The hon. member for West Moreton must know that the question of arbitration is not under discussion. That was decided upon at an earlier stage of the Bill. The principle was so established that the House might be free to proceed to consider the second reading of the Bill "to amend the Industrial Conciliation and Arbitration Act in certain particulars." The hon. member must now confine himself to a debate upon the principles contained in the Bill.

Mr. MAHER: The principles contained in this Bill include the imposition of penalties on those who commit breaches of the awards, but such penalties are enforced against only one side of a dispute.

The SECRETARY FOR LABOUR AND INDUSTRY: That is not true.

Mr. SPEAKER: Order!

Mr. MAHER: That is wrong in principle, and in this respect there is evidence that in the two large industrial upheavals during the current year—the strike at the Brisbane Abattoir and the strike of canecutters in North Queensland at the present time—flagrant flouting of the awards by two large organised bodies of workers has occurred. These organisations refused to carry out the decisions of the court, and I ask the hon. gentleman: having regard to the fact that penalties are provided to assist arbitration to function successfully, how can the amending Bill with which we are dealing this afternoon be expected to succeed if the Government are not prepared to see that both sides to the dispute abide by the decisions of the court? This Bill should provide equally for the employer on the one hand who commits any breach of an award, and for the employee on the other hand, in order to make arbitration the success all men of good heart and conscience desire it to be. We must see that both sides obey the law.

The main principle involved here is that of rationing. Every employee who is rationed accepts it on the principle that half a loaf is better than no bread. Large bodies of workers, recognising that conditions in industry are depressed, that times are bad and seasonal conditions are difficult, are sensible enough to see that it is better to continue in a job with half a week's wages than no wage at all. The worker in secondary industry is specially influenced in this respect, because he feels that if he loses his foothold, always a precarious one, his calling is subject to the fluctuations of trade, custom may fall away, business may be slack—he loses contact with his employer, and it is difficult for him to regain his place when times improve. Every employee wishes to maintain his connection with the employing interests and to hold his place in the matter of honest service and seniority in his job, because once he gets out there is always the younger man coming on, and six or twelve months' absence from his old job makes it increasingly difficult to get back. As the Minister indicated this morning, the peak period of rationing in Queensland was in December, 1932, when 154 permits were issued embracing 5,542 workers. If the principle contained in this Bill had obtained at that period, there would have been wholesale dismissals. How many of those men could ever have got back to their jobs, as conditions gradually improved? That is the point I submit to the hon. the Minister. If rationing were abolished in December, 1932, how many of those 5,542 men would have got back with the gradual improvement in times? Many of them would have gone away to other areas, many would have been on relief work, and as things gradually improved they would have lost contact with their employer and the younger men pressing on would have secured their positions. Therefore, the principle that seeks to abolish rationing is bad.

I emphasise the point that the employer is not in any way penalised by the provisions of this Bill. As a matter of fact, rationing as applied to industry is an expensive business. Rationing means additional overhead expense in the way of accountancy; office expenditure is correspondingly increased according to the extra number of men to be taken care of. We cannot be charged with representing merely the employers' point of view. There is no argument favourable to the employer in the case for a continuation of rationing. The whole issue involves the welfare of those who are rationed—the employees themselves—and I am satisfied that the Government are going to do a very grave injustice to the 700 persons who are still being rationed in this State when they pass this measure. It may be said that 700 persons are relatively few, compared with the numbers engaged in industry, but every one is entitled to justice. The 700 who are still being rationed have their rights.

Each of these persons recognises that under the Act to-day he has a chance of being gradually absorbed into full-time work, just as a proportion of the 5,542 employees rationed in 1932 had an opportunity to be taken into full-time jobs as economic conditions improved. Why not allow the remaining 700 hands to have the same opportunity that was afforded the 5,542 in 1932? I am satisfied that Labour is against rationing, whether times are good or whether times are bad, and it was only because of the prevailing circumstances that the Government suffered the rationing system to continue under the Act of 1932. I recollect that at the height of the depression, in 1930, the Labour Government in New South Wales abolished rationing, and tremendous hardships were inflicted on tens of thousands of people who had at least been able to hang on under the rationing system during that difficult time.

It is hard to account for the attitude of the Government towards this principle. Seven hundred employees will be involved, but how many of those 700 are going to secure full-time work if the rationing system is abolished? If the Minister were able to come into this House and to say that after the system was abolished the 700 employees were going to enjoy a full-time job, I should feel inclined to say, "Hear, hear!" But obviously that is not the case. Only a limited proportion of that number can possibly expect to get full-time jobs. If half of them

secure full-time jobs, that is the outside limit, I should say; the other 350 will be thrown to the wolves, so to speak. That will involve great hardship. The principle is most unjust, and I have never been able to understand the objection of trade unionism to the principle of rationing in cases where it is justified. After all is said and done, the employer cannot get pound notes from plum trees or profits from any source other than the trade that comes into his place of business. If prices of primary products fall, if the flow of loan money eases off and if the various other factors that are creating a moderate prosperity to-day disappear, how can the employer be expected to maintain his existing staff? Obviously, he cannot. In this Bill the Government are laying down a principle that will be very difficult to remove. All because Parliament has spoken! Why not leave the matter to the Industrial Court? If the Government believe so strongly in the principle of arbitration as we are led to believe, why not allow the court to decide the issue on the weight of evidence? The industrial law passed in 1932 provided that the employees who were to be rationed could be heard by the court. Could anything be more free or more democratic than that principle—that those who are directly affected should have the right of being heard? If those employees felt that they were being unjustly dealt with by their employers, they could invoke the aid of the court and, if their case was strong enough, the court would make an order accordingly. If, on the other hand, these people could show that by the abolition of rationing their chance of holding their jobs or their place in industry would be gone, then surely a humane court must give sympathetic consideration to their application! Here a democratic principle is at stake. The Government propose that that right to be heard shall be taken away. Where is there any democracy in that? Why depart from a democratic principle for an arbitrary parliamentary decision whereby at least half of the men will lose their jobs entirely? I ask the hon. member for Kelvin Grove to justify the proposal.

Mr. WATERS: What you are talking is rot.

Mr. MAHER: What I am saying is perfectly true. I am pointing out that there is provision in the 1932 Act, passed by the Labour Government, whereby rationed employees may invoke the aid of the court. I am slow to understand how men who profess to stand for the best interests of workers in industry, particularly those who have the small end of the stick, can abandon them so fully as they are doing in this Bill.

The SECRETARY FOR LABOUR AND INDUSTRY: When did you become the champion of the wage-earners?

Mr. MAHER: I have always been the champion of the wage-earners. I have never deviated from that line of thought. I have no hesitation in saying that the real friends of the workers are to be found on this side of the House. The men who promote industry, the men who find the means to develop it and take big risks in order to establish enterprises that provide avenues of employment for tens and thousands and hundreds of thousands of workers, are surely the greater friends of the workers and are likely to consider their best interests! Hon. members opposite profess to stand for the best interests of the workers, but in point of fact they stand for the best interests of themselves and very frequently the workers receive secondary consideration.

Mr. WATERS: Bunkum!

Mr. SPEAKER: Order!

Mr. MAHER: On this occasion hon. members opposite are handing out a very raw deal indeed to the unfortunate workers employed in those industries that are not very prosperous, and have been affected by the economic position. They find it difficult to secure orders and sell what they produce. Frequently they work at a loss, sometimes just balance. Therefore, it is not always possible for such industries to absorb all the men on their pay rolls on a full-time basis, and in order to assist those workers they must resort to the system of rationing.

The Government are the chief offenders in the rationing of workers. Despite the terms of this Bill, they have adopted the rationing principle to provide intermittent and rotational relief work. Is not that system a rationing system? By it the Government recognise that more men are offering than they have money or jobs for, and in order to make the available money go round the number of workers offering have introduced the intermittent and rotational system.

Mr. KING: That is not a rationed basis at all.

Mr. MAHER: If it is not, then I do not understand the term. The Government are in precisely the same position as the private employer. The private employer finds that he has an available wage fund of say £1,000 each week. He cannot employ any more men than will absorb that amount. Therefore, if he desires to retain the services of all his employees, he must make that £1,000 go round the lot. The Government's position is precisely the same. They recognise that there are limitations to their finance and the big bodies of men offering for employment have forced them into the position of rationing what work is offering for the simple reason that "Needs must." The Government are in a paradoxical position, because on the one hand they are abolishing rationing and on the other hand are adopting the principle on a larger scale over the whole State in relief work. It is an extraordinary position, which the Minister will find untenable.

It has been stated that employers have abused rationing in respect of awards catering for casual work. These awards contain provisions enabling employers to employ casual labour at higher rates than ordinary labour. It has been argued that employers have abused the casual labour clauses by rationing employees on the ordinary scale rates. That has been given as a reason why this amendment has been introduced.

The SECRETARY FOR LABOUR AND INDUSTRY: I cited that as one of the reasons.

Mr. MAHER: There is no doubt that the whole trend of Labour's policy is such that the position of the employers is narrowed down considerably. Every day we see evidence of men being thrown out of employment and being replaced by women. The other day I visited a business where fairly heavy work was being undertaken by women while large numbers of men are

clamouring for jobs. Why are the women there? Simply because the employers are forced through competition to employ them. If they were forced to employ men at existing wage rates, then they would not be able to carry on and would be compelled to close down. The result is a tendency to employ as much female labour as possible. That is a product of the system being nurtured by the policy of the Government Party. The same thing applies in regard to the employer who seeks to gain the maximum advantage from an award. The employer cannot be altogether blamed because there is nothing in the award to prevent him from adopting that stand; but in order to reduce overhead costs and have a better opportunity of competing with his rivals from the South and overseas, it is possible that in some cases he has done what the Minister referred to this morning—that is, he has employed men on a rationed basis at the ordinary rate of pay in order to avoid the higher rate he would be obliged to pay men on casual work. The whole principle of this Bill seems to be to squeeze out of the employer a higher amount for those who have a fair job; but it will have the effect of squeezing out of a job altogether many who would otherwise be employed.

I am sorry the Government have seen fit to abolish the system of rationing, to depart from the well established and democratic principle, namely, that the rationed worker should have the right to be heard by the court. The sad effect of this sorry business will be that many of the 700 hands who are still working under permits from the court will lose their employment. It is difficult to comprehend why the Government should bring forward an amending measure of this nature, which will have effects subversive of the best interests of the wage-earner. If the system of arbitration is to be maintained and the court is to function to the satisfaction of those who are parties to it, then arbitration must work on the basis of equity, and awards must be enforced against all those who commit breaches, whether it be the employer on the one hand or the employee on the other. The zeal and activity of industrial inspectors who pursue the baker or the butcher for selling a loaf of bread or a pound of meat on a Sunday morning to a drover or somebody else in the community is helping to reduce the status of arbitration; because at the same time there occur serious breaches and flagrant abuses of awards, as pointed out by the Leader of the Opposition when he read the report of the "Courier-Mail" of certain remarks made by Mr. Carney, secretary of the Meat Industry Employees' Union, which showed his absolute contempt for the court and its awards. If we are to have successful arbitration the administration of the Act by the Government will have to be entirely different from what it is to-day. Whether it concerns individuals, large or small—whether it concerns organised bodies of workers, irrespective of numbers—whether it concerns employer or employee—the whole success of arbitration depends on offenders against the industrial laws being brought to justice.

Mr. WATERS (*Kelvin Grove*) [3.24 p.m.]: After listening to the arguments advanced by members on the Opposition benches, one would imagine that Queensland was heading for destruction or on the verge of ruin, and that the passage of this Bill would accelerate its pace or help it over the edge. Members of the Opposition have been for years prognosticating such an event. In point of fact, the principles contained in this Bill are minor ones and enable the Act to be placed in its proper perspective.

The most important amendment is that providing for the abolition of the rationing system. The necessity for any such provision will have passed at the end of the current year. I congratulate the Government on their bringing forward such an amendment. There is no question that during the period that rationing of work has been permitted by the Industrial Court there has been an abuse of the system to a high degree. Employers have made application for rationing permits when they were not actually necessary. Many firms benefited at the expense of the workers. Improved conditions have brought about a condition of affairs under which the Government have been successful in providing full-time employment for many thousands of workers; consequently the abolition of the rationing system is overdue. Despite the opposition of hon. members on the other side of the House, the action of the Government will be welcomed by the great majority of industrial workers and business people generally. After all, a system of rationing means a reduction of wage payments to the industrial workers. They do not receive the amount of wages to which they are entitled, and this means a reduction in their purchasing power. In the process there must be deflation.

The Opposition should bring to bear on a problem of this kind a conception of modern problems and endeavour to solve it by modern methods. Their criticism casts them once more for the role of political cave men, which they have filled for the past twenty years. Apparently they cannot grapple with a modern problem and bring to bear on it the concentration that is essential to its solution. Rationing is being abolished in Queensland, but it has been restricted throughout Australia. Surely the Opposition are cognisant of that fact! One is forced to doubt it; their biassed political attitude persists towards every progressive statute or administrative act of the Government.

The amendments dealing with the computation of the overtime rate and differentiation rate are to be welcomed. Personally, I should have liked to see the provision that operated before 1929 reinstituted, under which an individual employed during the day on different classes of work attracting different rates of pay was paid for the whole of the day at the highest rate applicable. A definite provision to this effect would prevent an employer from exploiting his workmen. That is something to which the Government might give attention in the near future.

There has been a great deal of discussion as to the imposition of penalties for breaches of awards. After hearing the arguments of hon. members opposite, it is interesting to contrast the method of dealing with offences against property under the Criminal Code with the method of punishing breaches of industrial awards. Representatives of property owners as they are,

the Opposition are essentially spokesmen of the employers and would undoubtedly urge the imposition of the fullest possible penalty upon anyone who committed an offence against property. If that principle is to be applied where property is concerned, there is no reason why it should not be applied equally to industrial penalties. If the provisions of this Act are to be administered so as to deter employers from committing breaches of awards, the department controlling them should see that they are policed and that the penalties are adequate. Despite what hon. members opposite may say in this Chamber, the fact remains that very small penalties indeed have been imposed upon employers who sought to exploit their employees, bring down the wage standards, and take advantage of their competitors. The baking trade is a notable instance. Small bakeries have sprung up in and around the city of Brisbane in the last few years. These bakeries are not as hygienic as they should be, and are competing with union factories and adopting decidedly unfair methods. There is no doubt that if the Department of Labour and Industry had the requisite number of inspectors to police these small bakeries effectively it would be found that the award was being broken in a most flagrant manner. Hon. members opposite ask why a particular employer should be fined. If provision is made in an award prescribing certain hours of work, and it is fair that the majority of master bakers should adhere to it, there is no reason why the man who is endeavouring to gain an advantage should not be brought to book. This clause has been inserted to tighten up the administration and impose higher penalties upon those who wilfully and deliberately flout the industrial law. The present breaches in the baking industry can only be prevented by the adoption of the principles contained in the Bill or by some method of licensing all bakeries. I feel that this clause will find favour with the majority of master bakers and the majority of workers engaged in the baking industry, as well as among other industries where the same problem confronts employers and employees. This provision has had to be placed in the Bill because of the manner in which the award has been flagrantly and ruthlessly broken.

It is certainly a reflection on Parliament itself that members of the Opposition should encourage the breaking of awards. Anyone who listened to the speech delivered by the hon. member for West Moreton could come to no other conclusion than that he was a deliberate inciter to the breaking down of industrial standards. The hon. member for Dalby is another. By their utterances in this debate to-day both of them undoubtedly encouraged those people who desired to subvert the living conditions of our people, and incited them to break down the industrial code.

I think the Bill will find favour with the majority of the people engaged in industry. Hon. members opposite have complained that not much consideration is given to their requests. After all the Labour Party has been returned to power with an overwhelming majority, and I do not think much consideration should be given to any request of the character submited by the Opposition to-day. The Labour Party has a definite mandate from the people of Queensland to carry out its policy, and part of that policy is being translated into effect by the Bill now before us. The plea of the Opposition in that respect is certainly a very hollow one. I welcome the Bill, and I am certain that it will prove to be a useful piece of legislation, calculated to improve the conditions of the industrial workers in this State.

Mr. BRAND (*Isis*) [3.37 p.m.]: The attitude of the Government towards the Opposition in connection with this Bill has just been stated by the hon. member for Kelvin Grove when he referred to the fact that the Government had been returned with a thumping majority and declared that they should take no notice of the Opposition. That is the kind of arbitration that we can expect from hon. members opposite. I have been in this Chamber for a considerable number of years and I have never heard an hon. member of any party refer to any other hon. member as having a lack of interest in modern problems. Hon. members who rise to speak in this Chamber should at least be fair and just in their criticism and decent in their controversy. We recognise that the principle of arbitration in the settlement of industrial disputes is a national matter, subscribed to by all political parties in Australia as being the most effective means of coping with industrial difficulties.

It is apparent from the attitude of the Minister in charge of the Bill that he is content to break down every principle contained in the industrial law passed by the Moore Government, his contention being that anything done by that Government was of no value to the industrial workers of this State—some of his comments were very drastic—but it is remarkable that he continued to administer their industrial law for nearly four years before deciding to remove the Moore Government's principles from the statute-book. We can only conclude from his apathy that he considered that the industrial law passed by the Moore Government was just in its incidence on the worker. During the 1932 election campaign the present Premier definitely promised the people that if he were returned to power he would take immediate steps to amend the industrial law passed by his predecessor, so that the workers who he alleged had been outlawed by the Moore Government would again be given access to the Industrial Court. We know that he waited until October last year before giving that section of the community access to the Industrial Court again. The Labour Government were not prepared to honour that pledge until immediately prior to going to the people for their votes again.

Mr. SPEAKER: Order!

Mr. BRAND: The assertion by hon. members opposite that hon. members on this side have no desire for arbitration is wrong. We have conclusively shown that we believe in the principle of arbitration. The statements made by hon. members opposite to the contrary during this debate are exaggerated and not consistent with the facts. It has been contended by members of the Government Party that approximately 40 per cent. of the workers of Queensland were placed outside the jurisdiction of the Industrial Court during the Moore regime, when as a matter of statistical fact the percentage

was only 21.3, including 15.3 per cent. of Government employees, who were excised as a result of the Premiers' Plan. That percentage has been stretched to 50 per cent. on the hustings by hon. members opposite.

Mr. SPEAKER: Order! The hon. member will be in order in referring to such matters in passing, but not in dealing with them generally, as they are not relevant to the Bill.

Mr. BRAND: I certainly intend to keep to the principles of the Bill. The Bill deals with many matters concerning arbitration, and will affect more than the section of the people referred to by the Minister. No measure such as this can concern one class only. There are two classes concerned—the employers and employees. The employer is a very important party to any system of arbitration. We must recognise that employers of labour in this country have done their part very well indeed. I am an employer of labour and have had considerable experience in that capacity. I have never yet found that employers deliberately seek to infringe awards, as we have heard it stated in this House. Rather do they endeavour as far as possible to abide by the wages and conditions prescribed in awards. The employers should have a greater voice in arbitration. They are very much concerned, and if the bench of the Industrial Court comprised one of their representatives it would be much better than it is to-day.

Mr. SPEAKER: Order!

Mr. BRAND: This morning the Minister endeavoured to prove by a mass of figures that strikes during the Moore regime were of greater magnitude than those during the reign of the present Government. He claimed that during the Moore regime no fewer than 9,236 persons were directly and indirectly affected by industrial disputes, as compared with 9,109 during a similar period when his Government were in office. There is very little difference in the two sets of figures, but the Minister should have been fair and taken a set of figures that would more accurately indicate to this House and the people what the effect of those disputes was. The number of disputes is not of such vital concern as the working days lost and the loss in wages. If the figures are analysed it will be found that more days have been lost and a larger amount of wages during the regime of the present Government than when the Moore Government were in power.

The SECRETARY FOR LABOUR AND INDUSTRY: That is not a fact. I will give you the figures when I reply.

Mr. BRAND: The hon. gentleman can quote his figures. I am going to quote the set of figures I have in my possession.

The SECRETARY FOR LABOUR AND INDUSTRY: Where did the hon. member get them from?

Mr. BRAND: Where the hon. gentleman got his figures from—from the records. I will except the year 1931, because in that year there was a railway strike.

The SECRETARY FOR LABOUR AND INDUSTRY: Why exempt that year?

Mr. BRAND: Because a railway strike is abnormal, and the comparison would be unfair unless the year in which a railway strike took place were compared with another year in which a railway strike occurred. The following figures will illustrate my point:—

	Working Days Lost.	Loss in Wages.
		£
1929	3,443	3,379
1930	9,881	11,059
1932 (1st quarter) ..	7,791	6,800
Totals, 2¼ years ..	21,115	£21,238
1933	13,876	10,077
1934	29,718	24,200
1935 (1st quarter) ..	20,083	19,185
Totals, 2¼ years ..	63,677	£53,462

Those figures indicate that the number concerned under the Labour Government was practically three times greater than was the case during the Moore regime. Take the case of the railway strike in 1931.

Mr. SPEAKER: Order! The Minister was allowed to make certain statements, and the hon. member has been allowed to reply, and I suggest the hon. member should now deal with the principles contained in this Bill.

Mr. BRAND: I wish to deal with these strike matters, which concern the figures mentioned by the Minister.

Mr. SPEAKER: What has that to do with the Bill?

Mr. BRAND: The Minister quoted figures to show that more disputes took place during the period the Moore Government were in power than in the period Labour has held office since that time; and he stated that this Bill would eliminate disputes. I was about to quote the 1925 strike year to complete my case in reply.

Mr. SPEAKER: Order!

A GOVERNMENT MEMBER: You will enter into a dispute with the Chair.

Mr. BRAND: I have no desire to enter into a dispute; but I think I am entitled to reply to the Minister in that respect. However, the figures I have quoted indicate clearly that the losses in working days and wages were greater during the period of office of the present Government than under the Moore regime.

The principles contained in the Bill greatly concern the section of the community that is endeavouring to do its utmost in the employment of labour. The Minister submitted that the Bill was introduced because it was in the best interests of the community; but no Act of Parliament can increase the productivity of the country and enable producers to find work for the people. Those engaged in industry are doing all that is possible, and are endeavouring to develop this country and at the same time respond to the request of the Minister to employ more workers. Unemployment is agitating the minds of people all over the world, and the controversy has extended into various fields, some of which are political. It must be recognised that people who employ others who are in need of work confer a great benefit on Queensland and Australia.

No employer desires to ration employees, and he does not do so except at the request

of the employees and in order to obviate the necessity of discharging some of them. I believe the Industrial Court should have full power to determine whether rationing should take place in certain industries.

The Minister condemned his predecessor, Mr. Sizer, for removing certain matters from the discretion of the court; yet the Minister now deems it necessary to lay down a minimum fine. I support my leader in his statement that rationing, overtime, and the provision relating to the payment of the higher rate for four hours' labour during the day should be left entirely to the Industrial Court, which is the tribunal set up to determine such matters.

Since the inauguration of this Parliament much has been made of the urgency of providing further employment for the people. Can the Minister inform the House how the people who will be discharged by the operation of the clause dealing with rationing will be employed? Some 700 will be involved. How will they be placed in permanent work elsewhere? These men, now working intermittently in private employment under the rationing system, will simply be placed on the unemployment relief scheme there again to find intermittency or rationing of work. After all, the Government are following the practice of rationing their intermittent and relief schemes. No advantage can accrue to the people because of the repeal of the section that permits rationing.

Much has been said regarding the sins of omission of the previous Government, but the Minister when framing a Bill of such importance to the employees and employers of Queensland should use every means in his power to see that both sections receive satisfactory treatment. During the Committee stage the Minister should recognise the wisdom of greatly improving the Bill.

It has been stated that the purpose of providing heavy penalties for the infringement of awards is to provide a deterrent to potential offenders. No hon. member on this side of the House justifies any breach of an industrial law, but we all consider that equal penalties should be imposed on all sections. The Minister should not give grounds for the belief that he is anxious to harass the employing classes and should see that the penalties apply with equal force to every section concerned in conciliation and arbitration. The Moore Government amended the industrial law in good faith. They did not ruthlessly outlaw members of the trade union movement. They endeavoured to do the best they could for the working man. I again urge upon the Minister not to do anything that will lead the employing classes to believe that he is anxious to hamstring them in any way, but rather to convince them that his aim is to bring about permanency in employment for all.

Mr. EDWARDS (*Nanango*) [3.59 p.m.]: The Secretary for Labour and Industry made rather light of this amending Bill but to my mind there are some rather drastic proposals in it that will make it more difficult to keep workmen in Queensland in employment.

The hon. gentleman made the statement very definitely that all Governments would have to give serious consideration to the very important question of a shorter working week. He stated that the provision of increased employment would have to be considered from the angle of decreasing the number of hours in the working week. He mentioned as few as thirty hours a week. That brings us to the question whether the Government are sincerely trying to keep men in employment, and whether this Bill is brought in with a view to bringing about better relations between employer and employee than exist at present. If that is the desire of the Government and the Minister who introduced this Bill, I can only say, "God help the people of this great State!" The Minister said it was impossible to shorten the hours too drastically in one State because trade had to be carried on with other States. If we definitely decide that that is the only possible way to solve the unemployment problem, we have come to the end of our tether in the development of this and other States of Australia, because it is impossible for us to dictate to other parts of the world what they should do. The Bill seems to be cramped in every respect; it is wrong in principle, and I hope that that was not in the Minister's mind when he introduced it. It would be far better to try to conciliate employer and employee more. Surely, in a country like this, where there is employment—and I want to say in passing that the argument continually used by Government members and by people outside that machinery is responsible—

Mr. SPEAKER: Order!

Mr. EDWARDS: Is responsible for throwing large numbers of men out of employment——

Mr. SPEAKER: Order! The hon. member knows quite well——

Mr. EDWARDS: Yes, I know quite well, but I am only replying to the very definite statements that were made by the Minister when introducing this Bill. They are serious statements——

Mr. SPEAKER: Order! The hon. member is not replying to those statements. He is speaking as to the effect of machinery upon employment.

Mr. EDWARDS: The hon. gentleman most definitely declared that a shortening of hours would have to be brought about in a most drastic way because of the introduction of machinery and the throwing of men out of employment.

Mr. SPEAKER: Order! The hon. member will find no provision in this Bill for the shortening of hours.

Mr. EDWARDS: I am well aware of it, but after all it has to do with the employment of labour. While I in no way wish to dispute your ruling, Mr. Speaker, it has all to do with the condition of employment of our people, and we should discuss the Bill from every angle to see whether we cannot arrive at a better understanding of the problem and furnish the people with better conditions than in the past.

Another important point in this Bill is the increase of the penalties. No matter what hon. members on the Government side may say, I am satisfied that no hon. member in this House would encourage an employer or employee continually to attempt to break the law for his own benefit. Nevertheless, many conditions are laid down with regard to wages by which people get into very grave difficulties. It is necessary, therefore,

to have a discretionary power. If a man wants a loaf of bread or a pound of meat with which to feed even a small family in great need and he is afraid to ask for it and the shopkeeper to sell it because of a very severe penalty, we strike a very great blow at the whole structure of the social life of the State.

There is such a thing as give and take in these matters. No matter what food families may lay in on Saturday before the shops are closed, many difficulties are experienced over the week-end because of the unexpected arrival of friends and travellers. Severe penalties are to be imposed, although the offence may be trivial in the extreme, and I suggest that we should consider the matter very carefully indeed before going to such extreme limits. If hon. members opposite are fairminded they will admit that the employers, both in secondary and primary industries, have carried out their jobs manfully. Hundreds of cases have come under my notice during my experience in pioneering and developing the country where the settler has paid, and is paying even to-day, his last shilling to his employee, knowing full well that he must wait for the wherewithal to feed and clothe his own family. I know of many cases where extreme hardship has been imposed because people could not pass out a loaf of bread after hours. I know of a case where a workman engaged in glazing a window had only to drive in a tack to hold the glass in position when the whistle blew to cease work. He was very careful not to work a minute after his time, and as he could not leave the glass hanging unsupported in the window it was necessary for him to remove it, place it on a table, and wait until next day to drive in the tack. We should not encourage that sort of thing; it is not in the interests of mankind. If employers and employees are working together in an endeavour to get the best out of industry in the interests of the social life of the people generally, they should be encouraged at every turn instead of being summoned and exposed to the liability of heavy penalties for working a short time after the ordinary ceasing time in handing out a loaf of bread or doing such little jobs as that to which I have referred.

The hon. member for West Moreton has dealt very fully with the proposal of the Government to abolish the rationing system. It is a thousand times better in the interests of the men that they should be doing some work than nothing at all; but I am afraid that the whole trend of our legislation is to encourage men to do nothing. That is a very unfortunate state of affairs. There are men to-day who will boldly demand that they shall have rations or certain concessions without giving any work or other return to the State. This attitude is being adopted by men who a few years ago would have been ashamed to behave in that manner

I am pointing out these things because I feel very strongly indeed about them. The underlying principle of all our legislation should be to uplift the people and to improve their lot. The people in turn should recognise that it is their duty to accept some of the responsibilities and obligations involved in the life of a country, but instead one section is being encouraged to allow others to work for it. I am afraid that year by year our legislation is tending to build up a vast army of people who are prepared to accept all available benefits and throw the obligations and responsibilities on to others. That is a sorry state of affairs for hon. members opposite to advocate; such a policy will beat them in the finish. The Government Party, by reason of their numbers, pay no heed to-day to the result of their actions, but a day will surely come when they will not be able to continue the conditions they now give. The men they help will turn to the Communists and demand the same of them. That is the end toward which the legislation of the Government is shaping.

Mr. NIMMO (*Oxley*) [4.13 p.m.]: This Bill is a very paltry one, and would not cause very much discussion were it not for the remarks made by the Minister and certain members of his party. It does nothing that will assist to provide work, or ease the lot of those who employ labour. It rather places further restrictions on them. The only two clauses to which objection can be raised are those that relate to the abolition of rationing, and seek to take from the court its present discretion in imposing penalties.

At 4.14 p.m.,

The CHAIRMAN OF COMMITTEES (Mr. Hanson, *Buranda*) relieved Mr. Speaker in the chair.

Mr. NIMMO: The time of hon. members could be better occupied in discussing some measure that would tend to create employment and build up industry rather than further block our industrial progress. This Bill will not assist to employ one additional man. It will not assist to create one new industry. The two clauses I have alluded to will make it harder for Queensland industries to compete with their rivals.

It costs a considerable amount of money to set up the machinery of a court. It would be wise, therefore, to allow the court to decide all vital matters brought before it. It could hear all the evidence, and decide what penalties should be imposed. That is a very wise provision, because very often a prosecution is launched in which the magistrate expresses the opinion that he is very sorry to be compelled to impose any penalty. Yet we have the Government bringing down this Bill to take away all discretionary power and say that the magistrate must not impose a penalty below a certain fixed sum. In last Saturday's Press there was a record of prosecutions of certain persons for trivial offences against the industrial laws. The first case was a prosecution of a baker for delivering bread. I understand that the prosecution arose out of handing one loaf of bread to a purchaser; yet that man had a severe penalty inflicted on him. People would not attempt to buy bread if they did not require it. Surely it is not a crime to supply people with the staff of life at any time! On the other hand, we have many breaches of awards by employees and no action taken. Some of these breaches have been most flagrant, but the Government have taken no steps to enforce a penalty. Discrimination seems to be the whole policy of the Government. It is hard to fathom why that discrimination should exist. At one time in the history of Labour Governments the law was enforced against all sections of the community. In the railway strike the Government of the day ordered the railwaymen to return to work under penalty of dismissal. Eighteen thousand men were dismissed from the railway service, yet when the meatworkers

went on strike recently no action was taken. Whilst no action is taken against employees for breaches of the award, severe penalties are inflicted on employers who commit breaches. That suggests a policy of discrimination that is unfair and unjustifiable. I quote the case of a man working for himself doing painter's work on Saturday, at the corner of Spencer and Gray streets, Corinda, who was prosecuted and fined £1 with 6s. costs.

A GOVERNMENT MEMBER: Tell us the rest.

Mr. NIMMO: I have told the hon. member the whole story. He is a reputable member of the community. The letter I received definitely says he was fined for "Doing painting work on Saturday." Apparently the Minister intends to prevent a man from painting his own house on a Saturday morning.

A GOVERNMENT MEMBER: That is a ridiculous statement.

Mr. NIMMO: It is not a ridiculous statement. If that policy is to be carried out freedom in this State will be a thing of the past.

The SECRETARY FOR LABOUR AND INDUSTRY: Prosecutions for breaches of the award will take place irrespective of persons.

Mr. NIMMO: The Minister says he intends to prosecute anyone who commits a breach of an award without fear or favour. That policy was not carried out in the sugar strike. Not one man was prosecuted for committing a breach of the award. The man who went up from Brisbane to issue summonses was defied by the strikers, and no summonses have been issued against those men; yet another is prosecuted and fined for finishing a job on Saturday. That is wrong, and action should be taken by the people of Queensland to restore the freedom that was enjoyed in this State when people were allowed to pursue their avocations. These restrictions on industry are preventing it from functioning in an efficient manner.

Opposition members had been accused of being opponents of arbitration. We are not. We believe in it, but we do not believe in placing restrictions on the court that prevent it functioning as it should. In 1925 Parliament superseded the court and passed the Basic Wage Act in order to settle the railway strike.

Mr. DEPUTY SPEAKER: Order! I ask the hon. member to confine his attention to the principles contained in the Bill before the House.

Mr. NIMMO: I was endeavouring to prove that the court is hampered by regulations that prevent it from functioning as it should, and that that may have a serious effect upon the industries of the State. The Minister stated that the Government subscribed to a policy of sending all industrial disputes to the properly constituted tribunal. Why does not the Minister allow that tribunal to decide the matter on the evidence placed before it? The court is quite competent to decide whether a fine should be 1s. or £5. Why should the magistrate be instructed to inflict a certain penalty irrespective of the seriousness of the breach? There has been continual interference with industrial legislation for many years, nevertheless in 1914-15, before the Labour Party tampered with the industrial life of the community, there was a greater number of factory employees per head of population in Queensland than there is to-day.

The DEPUTY SPEAKER: Order! The remarks of the hon. member are very irrelevant to the principles contained in this Bill and I ask him to confine his remarks to them.

Mr. NIMMO: I have to bow to your ruling, Mr. Deputy Speaker, but I was endeavouring to point out that this definite interference with the industrial laws of the country is having the effect of decreasing the number of factory employees. The Minister has stated that the policy of arbitration has tended to reduce the number of strikes and he inferred that no strike of any serious consequence has occurred during the present administration. We have had very serious industrial strikes since the assumption of power by the present Government, and one of them is still proceeding.

This morning the Minister made a statement that gave rise to the suspicion that there is something hidden in the Bill. He stated that it was the intention of the department to deal with employers who dismissed workmen because the latter demanded award conditions. That can have very far-reaching effects and may prove a very serious clog in the wheels of industry. Many matters could be raked up tending to show that an employer dismissed an employee because of the latter's request for something under an award. The evidence might be altogether untrue, yet the employer might be so harassed that he would have to get out of business. I hope that the Bill contains nothing that will harass employers who are endeavouring to provide employment by the investment of their capital in business in this State.

The SECRETARY FOR LABOUR AND INDUSTRY: I can assure the hon. member that there is no nigger in the woodpile.

Mr. NIMMO: I hope there is not. The hon. gentleman also stated that 40 per cent. of the workers in this State had been taken out of the jurisdiction of the Industrial Court by the Moore Government. At that period conditions were such that something had to be done and it must not be forgotten that the Labour Government that followed kept those employers away from the court for a further two and a-half years.

The SECRETARY FOR LABOUR AND INDUSTRY: That is untrue.

Mr. NIMMO: Many of the statements of the hon. gentleman were wide of the mark. He declared that the Moore Government was out to destroy unionism. That was not a fact. The Moore Government endeavoured to make the unions function in such a manner that they would do some good for the workers. Reverting to the comparison of the number of strikes that occurred during the present Government's term with that under the Moore Government regime——

Mr. DEPUTY SPEAKER: Order! The hon. member for Isis has already dealt with the remarks made by the Secretary for Labour and Industry on that matter and I do not propose to allow the hon. member an opportunity also.

Mr. NIMMO: The point I desired to make was——

Mr. DEPUTY SPEAKER: Order!

Mr. NIMMO: The only point I wish to make is that the hon. gentleman has not given us the number of people who were indirectly affected by the strikes during his regime and the previous Government's.

He also stated that the basic wage has been reduced by the court to £3 14s., and that the effective value of that wage is higher than the basic wage during the Moore Government's term of office. We hear a lot about the cost of living being lower in this State than in any other State in Australia, and certain figures have been given to prove the assertion. Any member of this House who has been in Sydney or Melbourne for any period must admit that the cost of living in Melbourne is lower than in Queensland, notwithstanding what the figures say.

Mr. DEPUTY SPEAKER: Order! Neither the basic wage nor the cost of living is involved in this Bill.

Mr. NIMMO: I quite recognise that. The debate did get a little bit wide this morning, and I think you, in your wisdom, Mr. Deputy Speaker, must admit that we are entitled to reply to one or two of the flagrantly wrong statements made by the Minister.

Every hon. member in this House must admit that rationing has had both good and bad results, but it was introduced at a time when something had to be done to save industry. Every hon. member in this Chamber must also admit that a factory employing a large number of hands must endeavour to keep its staff intact, even though it may have only half the amount of work that normally comes into it. If half those hands were dismissed and dispersed all over the country, it would be a long time before production could again be brought up to the peak at which it had been prior to their dismissal. If the employer allowed those employees to go out on to relief work and perhaps drift to North Queensland or other parts of the country, he might never get them back. New hands would be coming in, and the industry would not be as efficient as it was. The Minister this morning gave a very excellent reason why this clause should not be in the Bill, and why the question as to whether or not rationing is necessary should remain at the discretion of the court. I ask every hon. member in this House, before voting for the second reading of the Bill, to consider seriously whether rationing should not remain a matter for the discretion of the court. The Minister quoted certain figures to show that rationing is now reduced in Queensland, as in other parts of Australia. He pointed out that now only seventy-seven firms employing 700 odd hands are permitted by the court to ration. Would it not be as well to allow that number to gradually decrease, so that rationing will automatically run itself out? Or does the Minister think it better to say, "We are going to stop all rationing, and those men who are now being rationed must be sacked?" That is the alternative. He is practically saying that men who are losing four hours a week must be put off altogether. It means that those men will probably join the ranks of the relief workers, and may never get back into the industry from which they have been deflated. Rationing is a wise provision, because it allows these people to follow up their ordinary vocations. I called at one of the firms whose employees are rationed and asked how it affected their business. They said that in some weeks lately they have been having full-time work and in other weeks they have had to ration. I said, "Supposing all rationing is cut out, what would happen?" They said, "If we got a little extra rush of work we should have to employ casual hands." I said, "Would you prefer to do that?" They said, "No," that the higher rate they would have to pay the casual workers would prevent them from competing for work which they are now able to keep against the competition from the Southern States. The Minister knows that to be a fact. He knows that tenders for work are so keen that the slightest increase in production costs would lose the work to this State. I warn every hon. member to be very careful in casting his vote on the Bill, and I urge him to see that the question of rationing is left to the discretion of the court.

The hon. member for Fortitude Valley made some incorrect statements. For instance, he claimed that hon. members on this side had always opposed the best interests of the workers, but I think every hon. member will admit that industrial conditions have improved throughout the world. Even if a Labour Government had never been in power in this State the present industrial conditions would have obtained except that there would have been more employment and a much brighter outlook. Labour Governments have placed untold handicaps upon industry and have prevented private enterprise from securing its just measure of work, in which the workers have every right to participate.

The SECRETARY FOR LABOUR AND INDUSTRY: How do you account for the better position in Queensland with regard to unemployment than that in any of the other States?

Mr. NIMMO: I say very definitely that conditions are not better in this State. The balance-sheets of many manufacturing industries here are worse than they have been, and in particular I know that the balance-sheet of one very large manufacturing company operating in Brisbane shows very much reduced figures compared with depression years. That indicates that conditions here are not as good as the Minister alleges them to be. The hon. member for Fortitude Valley contended that all the benefits enjoyed by the workers to-day were given by Labour Governments. I interjected that workers' compensation, which is undoubtedly a benefit enjoyed by the workers, was given by a Nationalist Government and not by a Labour Government. As a matter of fact, Mr. Deputy Speaker, the party on this side of the House has always stood up for the worker. Anyone who cares to study the history of the benefits extended to the workers of this State, such as workers' compensation, workers' dwelling legislation, and many others, will discover that they were made available by anti-Labour Governments. I am sure that hon. members opposite will admit that Mr. S. M. Bruce, the Australian resident Minister in London, is a Nationalist through and through. To-day he is fighting

a humane battle in the interests of the whole of the British-speaking race in advocating increased nutrition in the food of the people.

Mr. DEPUTY SPEAKER: Order! I ask the hon. member to connect his remarks with the Bill.

Mr. NIMMO: I am connecting my remarks in this way: the hon. member for Fortitude Valley contended that the party on this side of the House were opposed to the best interests of the workers, and I am combating his statement by pointing out that every real benefit extended to the workers has emanated from our party.

There are many matters that we must consider if the State is to be restored to its former standard of prosperity.

Mr. DEPUTY SPEAKER: Order! The hon. member may deal only with the principles contained in the Bill.

Mr. NIMMO: I am pointing out that if we impose unnecessary restrictions on the people who provide employment, as by denying the court discretionary power in respect of certain matters, we shall be doing a grave disservice to the workers. Many Bills have been passed through this House, allegedly for the benefit of the workers, but have they panned out as such? The youth to-day is not given an opportunity to learn a trade, and if the Minister persists in introducing legislation similar to the Bill now before us, what opportunity will there be for the boys to enter industry and to learn trades? The Minister, instead of imposing further clogs on industry, should have made some provision in this measure for boys to be taught bricklaying, carpentering, and allied trades. Even if there was not sufficient employment for those boys at the conclusion of their apprenticeship some good would have been accomplished.

A Bill like this will prevent an Industrial Court from functioning as it should. It will hamstring it in such an important matter as rationing of work. The court will have no opportunity of saying whether rationing is necessary or not necessary. This Bill will also impose minimum penalties in relation to twopenny-halfpenny and major offences alike, depriving the courts of their discretionary power. In that respect the Government are doing a great disservice to the State. The Minister is only looking through one set of spectacles—the set that will probably bring him a little kudos from the Australian Workers' Union.

At 4.43 p.m.,

Mr. SPEAKER resumed the chair.

Mr. DEACON (*Cunningham*) [4.44 p.m.]: The Minister to-day gave the House quite a different idea of the Bill from what it really is, so much so that hon. members, in endeavouring to discuss the things he mentioned, have been ruled out of order. He explained at length matters not concerned in the Bill; and, having read the Bill, I could not follow him at all. It appears to me that the Minister either took the opportunity to show his bias against one section of the community, or else he had not read the Bill. I really hope that he had not only read the Bill, but studied it, especially its effect on industry. It would be a disgraceful thing if the Minister came into the House with a Bill prepared by his department that he did not understand and gave the explanation he did and spoke on matters not contained in it. It is quite evident that the Minister gave hon. members on this side the idea that he was opposed to one section of the community—that is, the employing section, and that this Bill was introduced, not for the mutual benefit of employers and employees, but for the benefit of one section only. My reading of the Bill did not give me that understanding. I was surprised when I heard the Minister speak in the tone he did. Those members on the Government benches which followed him displayed the same bias. The function of the Industrial Court is to assist to promote industry and prevent strikes and disputes between employers and employees. To accomplish those desirable ends the Government should make the court quite independent, thus enabling it to give a fair and unbiassed judgment. This would cause its judgments to be accepted by both parties and lead the community to regard it as a judicial authority whose judgments are worthy of respect. That is what an Industrial Court ought to be, and that is what hon. members should set out to make it. The court should command the respect of everyone concerned. The Minister, in his second reading speech, however, did not give us the idea that he had any respect for the court. According to his idea the court ought to favour the workers' side only. It is not always good for the workers that they should be favoured. The conditions of an industry should be taken into consideration and the court should assist it to carry on. Those are some of the things that should be aimed at. After all, that is what, in the main, judges of our Industrial Court should have in view. They must take all factors into consideration. It is not for them to do anything that will be injurious to one side or the other. They must not give a judgment that favours one side and injures another. Such judgments react against the men in the industry just as much as the employer.

The Bill contains a provision to abolish rationing. I consider that is a matter that could be safely left to the Industrial Court, and that course would be preferable to inserting a hard and fast clause in the Bill. Rationing was introduced a good many years ago to meet the fluctuating conditions in industry. There are times when every industry suffers a temporary setback that necessitates a reduction in overhead expenses, which means a reduction in the number of employees or the adoption of the rationing system. Under the amending Bill employers will not be allowed to ration work, even temporarily. In some cases employers would not be able to keep expensive plant running half-time, and it would be necessary to remodel it. Take the farming industry, in which I am engaged. It is quite possible for that industry to be brought under an award of the court, and a big farm, with an expensive plant, prevented from adopting a system of rationing during a period of depression.

The SECRETARY FOR LABOUR AND INDUSTRY: This Bill does not apply to farms.

Mr. DEACON: It would apply in this way, that at any time an award of the court might be applied for by the union to cover the industry; then the farmer would be governed by the amending Act. If rationing were not permitted the plant

in any industry would have to be remodelled and then altered again when the business increased. All these expenses are passed on to the consumer. The abolition of rationing may mean the closing down of an industry.

Mr. TAYLOR: Tell us how you would ration the farm.

Mr. DEACON: I have told the hon. member it is quite impossible. The closing down of a factory would mean the dismissal of its employees. These men would be provided with relief work; but relief work is not as good as half-time work in many industries. Would it not be to the advantage of the working man and industry generally if the rationing scheme were allowed to continue? The Minister evidently considers that rationing is of advantage to the employer. He spoke of the persecution or victimisation of employees. It would appear that he harbours the idea that all employers are out to victimise or persecute an employee at every opportunity. That is not so. A big percentage of employers—99 per cent. at any rate—treat their employees fairly. It pays them to do so. An employer, to be successful in his industry, has to have the ability to retain his men. He has to keep his team together—that is a well-known fact—and for that purpose he has to treat them fairly. An employer who has the reputation of taking advantage of every point against his employees cannot get workmen of the best class to enter his employ. It is quite untrue that employers in general are unfair to their employees.

Mr. DUNSTAN: Numbers of them are.

Mr. DEACON: A very small percentage. On the other hand a number of working men display a very mean attitude towards their employers. On every possible occasion they take advantage of him and cheat him.

A GOVERNMENT MEMBER: That is not correct.

Mr. DEACON: The statement is just as true of employee as of employer. Numbers of workers are not loth to take a point of their employer. Comparatively recently the police had occasion to make a raid on the employees of a meatworks between the factory and a railway station. After the arrest of two the road was littered with parcels of meat that had been thrown away, which proved that some mean workmen were employed at those works. That had been going on for some time. There are just as many mean workmen as there are mean employers, men who do not do the fair thing by one another.

I am not aware whether this Bill will prove successful, but judging from the determination shown by the Minister during the course of his speech I should say that its administration will not prove to be of much use. All I hope is that the officers charged with the administration of the Act will do better with the authority conferred upon them than the Minister intends they should.

Mr. TAYLOR (*Enoggera*): I move the adjournment of the debate.

Question put and passed.

Resumption of debate made an Order of the Day for to-morrow.

The House adjourned at 4.58 p.m.