Queensland

# Parliamentary Debates
[Hansard]

## Legislative Assembly

**WEDNESDAY, 22 MARCH 1961**

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Mr. SPEAKER (Hon. D. E. Nicholson, Murrumba) took the chair at 11 a.m.

## QUESTIONS

### Road Hauliers and Transport Regulations

**Mr. THACKERAY** (Rockhampton North), for **Mr. BENNETT** (South Brisbane), asked the Minister for Transport—

"(1) Did he make the statement attributed to him in 'The Courier-Mail' of Monday, March 20, 1961: 'The Department will in its own time, take any action it considers necessary against any road haulier who deliberately attempts to skate around the present transport regulations.' "?

"(2) Does not he mean by this statement that the Department will take penal or punitive action by administrative means against road hauliers who have not been convicted of any offence?"

"(3) Does not this statement mean that his Department will penalise persons who by legitimately avoiding the regulations carry on their business in a lawful manner?"

"(4) Does he not recognise the rights of free citizens in a free community to avoid the possible disastrous effect of legislation on their business so long as they commit no breach of the law?"

"(5) Does not his statement necessarily envisage (a) secret intra-departmental and extra-legal penal or punitive action being taken against citizens of this community and (b) that his Department intends to take discriminatory action to their detriment against transport operators solely on the view that the department has formed of their conduct when such operators (i) may have committed no breach of the law, (ii) may not know of any charge or allegation against them, and (iii) have no opportunity of answering any allegation or charge?"

"(6) If this is not the only interpretation to be placed upon his statement, what does he suggest is the true interpretation?"

"(7) Is not a man entitled to 'skate around' the law so long as he does not break it?"

"(8) Does not his suggestion of departmentally imposed detriments (a) amount to the constitution of a 'Star Chamber' and (b) infringe the fundamental principle of justice and fairness—no detriments, penalty or unequal treatment to any citizen without a precise charge being made with a public hearing in an open court with opportunity to cross-examine and answer the charge?"

**Hon. G. W. W. CHALK** (Lockyer) replied—

"(1) Yes."

"(2) No. Apparently the Honourable Member overlooks the possibility of legislative action."

"(3) No."

"(4) Yes."

"(5) No."

"(6) See answer to (2)."

"(7) The spirit of the law counts more with decent citizens than skating around the letter of the law. Seeing that the Honourable Member is allowing himself to be the mouthpiece of the minimum compliance type of capitalist, both he and his principal would do well to consider that very wise saying of Confucius 'Moth which goes too often to candle finishes with wings burnt.' "

"(8) Departmentally imposed detriments are not my suggestion. Any reference to such as contained in this series of questions are purely the eruption of the fuliginous mind of the Honourable Member."

### Conduct of Surgical Audits

**Mr. THACKERAY** (Rockhampton North), for **Mr. BENNETT** (South Brisbane), asked the Minister for Health and Home Affairs—

"When does he intend to commence the surgical audit that he strongly advocated as a Member of the Opposition?"

**Hon. H. W. NOBLE** (Yeronga) replied—

"As I stated last year in reply to a similar question asked by the Honourable Member for Mundingburra, it is not possible to institute a surgical audit at any Queensland hospital until a very acute shortage of pathologists has been overcome."

### Slipping and Refitting of Vessels at Townsville

**Mr. TUCKER** (Townsville North) asked the Treasurer and Minister for Housing—

"(1) Is he aware that the owners of the 'M.V. Cora' recently docked in Townsville have expressed their complete satisfaction at the work expeditiously carried out on that vessel?"

"(2) In order to provide further work for ships painters and dockers in Townsville, could he have the two lightships 'Carpentaria' towed to Townsville by 'Cape Leeuwin' for their yearly slipping and refitting, as it is estimated that while on the slipway they would provide twenty men with three weeks work cleaning below the waterline and afterwards six men with three to four weeks work above the waterline?"

**Hon. T. A. HILEY** (Chatsworth) replied—

"(1) No."

"(2) The lightships to which the Honourable Member refers are the property of the Commonwealth Government's Navigation and Lighthouse Service. The slipping and refitting of the vessels is the responsibility of the Commonwealth Government."

### New Psychiatric Ward at Townsville General Hospital

**Mr. TUCKER** (Townsville North) asked the Minister for Health and Home Affairs—

"With further reference to the psychiatric ward (ward 15) of the Townsville General Hospital and his reply to my question of March 9, 1961, wherein he stated 'I might again repeat that Architects' plans for a new unit are at present under review,'—

(1) Will these plans in fact be completed by June 30, 1961?

(2) Does his Department contemplate making provision for the building of this annexe in the coming financial year?"

**Hon. H. W. NOBLE** (Yeronga) replied—

"(1) No. The sketch plan to be adopted has not yet been finally settled."

"(2) No. It is not anticipated that working drawings will be completed in time to enable the project to be included in the 1961-1962 Loan Works Programme."

### Saleyards at Townsville

**Mr. TUCKER** (Townsville North) asked the Minister for Agriculture and Forestry—

"(1) Who presently own and operate the present saleyards in Townsville?"

"(2) What is the charge per head and during what hours are the yards available?"

"(3) Is it a fact that the Abattoir Board intends to take over the saleyards and build new ones near the abattoir?"

"(4) What is to be the charge per head and during what hours will the yards be available?"

**Hon. O. O. MADSEN** (Warwick) replied—

"(1) Queensland Primary Producers Co-operative Association Ltd."

"(2) Yard dues—Cattle, 9d. per head; Sheep, 2d. per head. One-half per cent. in turnover selling commission is also charged to other operators at sales. No information is available as to what hours the yards are available."

"(3) The Townsville District Abattoir Board is considering the building of new cattle sale yards on ground at the Abattoir owned by the Board. The present yards

will not be taken over by the Board, as the present occupiers have already outstayed their permit and it is understood a further permit will not be forthcoming from the Townsville City Council."

"(4) If the Townsville District Abattoir Board builds new yards, the rates are expected to be similar to those existing at the present sale yards. Consideration has not been given to the available hours for the yards, but it is anticipated that they will be available at all reasonable times. "

### Closure of Cooktown–Laura Railway Line

**Mr. ADAIR** (Cook) asked the Minister for Transport—

"Owing to the numerous complaints and protests received from graziers, farmers, business people and residents of the Cooktown Laura areas regarding the Government's recent decision to close the Cooktown–Laura railway, the hardship that will be experienced by railway workers, most of them married with families and homes at Cooktown, the remote chance of employment in the area, and also because of the fact that the closing of the line will be the death blow to Cooktown, reverting it to another ghost town in the Far North, will he reconsider his decision to close this line until such time as suitable all-weather roads are constructed in the area?"

**Hon. G. W. W. CHALK** (Lockyer) replied—

"This railway has been operated at a loss over a very long period. For last financial year the revenue from carriage of passengers, parcels and goods thereon amounted to only £1,553 whilst the operating expenses were £19,365 exclusive of interest charges. It is obvious therefore that the continued operation of the line is not warranted. A perusal of records of goods hauled reveals that even in the wet season little use is made of the line, since roads leading to and from it are impassable and consequently there is practically no movement of goods or supplies. It is felt that no great inconvenience of transport is likely to be occasioned by the closure."

### Road Transport, Mossman District

**Mr. ADAIR** (Cook) asked the Minister for Transport—

"(1) In view of the confused position regarding road transport in the Mossman District, what is the exact position regarding the payment of road tax by all carriers operating road transport services in this area?"

"(2) Will he prepare and issue an overall statement to clarify the position in other centres?"

**Hon. G. W. W. CHALK** (Lockyer) replied—

"(1) The Honourable Member is aware that certain licenses for the carriage of goods from the Mossman-Daintree area to Cairns were granted under the State Transport Facilities Acts, 1946 to 1959, and were in force at the date of the repeal of that Act on and from February 27, 1961, when the new State Transport Act of 1960 came into operation. The Honourable Member is also probably aware that goods licenses under the State Transport Facilities Acts, remain in force for a period of thirty days on and from February 27, 1961, and that they will expire at mid-night on March 28, 1961. The overall liability for the carriage of goods from the Mossman-Daintree area to Cairns under the new legislation remains unaltered. However, with a view to affording a measure of relief in this area of the State, the Commissioner for Transport is making a personal examination of the position, and when this is completed a statement covering Mossman District and the other centres to which the Honourable Member refers will be released for public information."

"(2) See answer to (1) above."

### Repair Work on Mount Molloy State School

**Mr. ADAIR** (Cook) asked the Minister for Education and Migration—

"Owing to the urgent necessity for extensive repair work to be carried out on the Mount Molloy State School, when can it be expected that work will be commenced on this school?"

**Hon. J. C. A. PIZZEY** (Isis) replied—

"In view of the need for early replacement of the existing school building at Mount Molloy, approval was sought and has been given for construction to be commenced on the new site before the control of this area has been transferred to my Department. It has now been recommended to the Department of Public Works that approval be given for the erection, as early as it can be arranged, of a new building consisting of two classrooms, a staff room, a library enclosure and two store rooms."

### Employment of Married Women Teachers

**Mr. DIPLOCK** (Aubigny) asked the Minister for Education and Migration—

"In view of the fact that at a number of schools junior teachers, including teachers who attended the Training College last year, are charged with the responsibility of

controlling classes of forty-five and over, will he consider the re-employment of some married teachers to relieve this position?"

**Hon. J. C. A. PIZZEY** (Isis) replied—

"The Honourable Member is informed that married women are re-appointed as temporary teachers in schools which are understaffed and where the services of permanent teachers are not available. It will be noted that the teaching load has been progressively improved and that schools are now more liberally staffed than they have been for many years."

WIDENING OF CONDAMINE HIGHWAY

**Mr. DIPLOCK** (Aubigny) asked the Minister for Development, Mines, Main Roads and Electricity—

"In view of the alarmingly high accident and death rate on the Condamine Highway, will he give consideration to the widening of this highway from Bowenville west?"

**Hon. E. EVANS** (Mirani) replied—

"It is not conceded that the accident rate on this highway is alarmingly high. The section Bowenville-Dalby is now 16 feet wide and widening to 16 feet has been extended for about 10 miles west of Dalby. However, in accordance with the policy of the Main Roads Department, it is proposed to widen the Condamine Highway as funds will permit."

REMOVAL OF BUS TERMINAL IN EAGLE STREET

**Mr. BROMLEY** (Norman), for **Mr. NEWTON** (Belmont), asked the Minister for Labour and Industry—

"(1) Is he aware of the danger hazards that confront motorists and pedestrians in Eagle Street between Queen Street and Creek Street in peak hour traffic because of the inbound bus terminal at the top end of Eagle Street near Queen Street?"

"(2) Will he look into this matter with the view to having the bus terminal shifted to the pedestrian crossing in Eagle Street near Creek Street, which is operated by lights, which would eliminate the danger hazards and the present jay walking that takes place in this busy section of the City?"

**Hon. K. J. MORRIS** (Mt. Coot-tha) replied—

"(1) Yes."

"(2) The Traffic Engineer has advised that this matter is at present receiving consideration by the Brisbane City Council following earlier representations by the Traffic Engineer to the Council."

PERSONAL EXPLANATION

**Hon. P. J. R. HILTON** (Carnarvon) (11.13 a.m.), by leave: I wish to make a personal explanation. During the debate last evening when the hon. member for Port Curtis described me as a Fascist agent I replied to him as follows—

"The hon. member for Port Curtis has my sympathy. He is really a poor fellow. As I mentioned before, he made the greatest speech in defence of Mr. Gair of any member of the Caucus. He indicated his moral courage by saying in this House that when Mr. Gair was carried to the grave he would follow him to the graveside but he would not be game to jump in. That man has the audacity to call me a Fascist agent."

As you know, Mr. Speaker, Mr. Burrows rose to a point of order concerning my remarks. I intimated at the time that what I said regarding jumping into the grave was recorded in "Hansard". I have now referred to "Hansard," volume 221, at page 666, and the following is recorded therein—

"Mr. Hilton: You did not know what you were going to do for four weeks when you were sitting on the fence. Get away from that one!

"Mr. BURROWS: I am not frightened to debate that any time the hon. member likes. I went to the hon. member's political funeral—I went to it in all sincerity—but I was not prepared to jump in the grave with him. I make no apologies, I do not want any sympathy from anybody."

The hon. member for Port Curtis claims that his remarks about jumping into the grave referred to myself and not to the former Leader of the Queensland Labour Party, Mr. V. C. Gair. Obviously they must refer to the tragic split of the Labour Party in 1957 and, so far as the hon. member's interjection as recorded in "Hansard" is concerned, it can be reasonably taken to apply to what the hon. member for Port Curtis termed the political funeral of the Queensland Labour Party. If the hon. member contends that that referred to myself only I should point out to him——

**Mr. SPEAKER:** Order! Are you still quoting from "Hansard"?

**Mr. HILTON:** I am making the point I want to clarify in fairness to the hon. member for Port Curtis. If the hon. member contends that that referred to myself only, I should point out to him that I am so far still a member of this Assembly and I have not as yet been the subject of a political funeral, despite the combined efforts of the A.L.P., the Communists and my opponents on the Government benches.

I make this explanation in order to make the position clear, as I did in obedience to your request, Mr. Speaker, accept the denial of the hon. member for Port Curtis last evening. I do not think I can be fairer than that.

**Mr. BURROWS:** Mr. Speaker——

**Mr. SPEAKER:** Order! The statement cannot be debated.

## PERSONAL STATEMENT

**Mr. BURROWS** (Port Curtis) (11.18 a.m.), by leave: I wish to make a personal statement. I point out that those whom the gods propose to destroy they just send mad.

## MILK SUPPLY ACT AMENDMENT BILL

### THIRD READING

Bill, on motion of Mr. Madsen, read a third time.

## INDUSTRIAL CONCILIATION AND ARBITRATION BILL

### SECOND READING—RESUMPTION OF DEBATE

Debate resumed from 21 March (see p. 2893) on Mr. Morris's motion—

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

**Mr. HART** (Mt. Gravatt) (11.20 a.m.): I support the second reading of the Bill. The Industrial Conciliation and Arbitration Act has been in force since 1932 and it should now be brought up to date. That is what is being done. When Mr. Fihelly was speaking on the Trade Union Bill in 1915 he pointed out that the Trade Union Act had been in force since 1886 and that after that great period of time it needed bringing up to date. The same reasoning applies today. There is nothing revolutionary in the measure before the House. The Trade Union Act and the Industrial Conciliation and Arbitration Act are being consolidated and brought up to date.

We heard many extravagant statements during the initiation of the Bill. Almost every Opposition member spoke against it, and later the Opposition voted against it. Having received a copy of the Bill, and having studied it, the Opposition have decided to support the second reading. During the initiation we heard cries from Opposition members about ringbarking the Industrial Court. Apparently they are now supporting a measure which they alleged was a ringbarking of the Industrial Court. The attitude of the Opposition proves that debates should take place after the measures have been printed and are in the hands of all hon. members. They would then know the contents of the measures. It is a great mistake to debate a Bill of the present nature before hon. members know what is in it. The practice has grown in this House, but I personally think it is wrong. It is not followed elsewhere to the same extent as in Queensland. The practice in Queensland results in a great waste of time. Now that Opposition members have seen the Bill they are not opposed to the second reading of it. They cannot be blamed for not agreeing to the whole Bill or for opposing certain parts of it at the Committe stage. It would be quite impossible to introduce a Bill of this nature about which all hon. members would agree But I do think that the Leader of the Opposition, having decided that he cannot oppose the Bill because of its sound principles, should not get up at this stage and devote the greater part of his speech to abuse of the Minister for introducing the measure. The Minister has given a great deal of time and thought to the Bill. He has listened to every representation made to him and has done all he can to improve the measure, but all he received for his trouble was abuse.

The beneficient provisions of the present law covering trade unions are continued by the Bill. Not only does it not ringbark unions but it gives them greater privileges than they had under the Act.

The Trade Union Movement as we now know it began about 200 years ago with the rise of the capitalistic system. Mr. Arthur Greenwood, in an article in the British Encyclopaedia said they were really brought into existence by the capitalistic system, and that they had no relation to the guilds of the middle ages. Mr. Greenwood described the rise of these unions as "an instinctive method of self-protection against the reaction of complex economic changes which the workers, in common with the rest of the nation, failed to understand." He then said, "In its later stage of growth the trade union movement is seen as a more conscious organisation of labour concerned with the status of the worker and his place in the economic system." Since the advent of trade unions 200 years ago they have become a definite part of the social system. They are a counterpart of the great companies which have been created, and without them our modern economic system of capitalism could not work. Therefore, it behoves Governments to look after and protect them and see that they have freedom to operate, but at the same time make sure that they operate within the law. When the trade union movement first began as a combination of workers, in the 18th century, it attracted a great deal of hostile notice and many Acts were passed to suppress trade-union combinations. In the years 1799 and 1800 all combinations were declared to be illegal. That was a rather harsh Act passed by Mr. Pitt's Government, and it was part and parcel of a series of Acts of the legislature at that time, because they were very alarmed at what had taken place in France and they feared there might be a revolution in England similar to the revolution in France. As a result of those Acts, and after the Napoleonic wars, which ceased in 1815, there were a great many riots and commotions in England, and in 1824 the Combination Acts of 1799 and 1800 were repealed. In the following year, there was a great deal of

industrial unrest in England, and in 1825 the Combination Acts were replaced in part. By the Act of 1825, quoting from Mr. Greenwood—

> "All persons were submitted to a maximum punishment of three months' imprisonment with hard labour who should, by violence, threat or intimidation, molestation or obstruction, do or endeavour to do any of a series of things inconsistent with freedom of contract which the Act defined."

For the rest of that century, it was illegal to do any act in restraint of trade, and strikes, except in certain limited cases, were illegal. There is doubt as to the exact position of strikes at common law, but the court at that time—may be because of the series of Acts that were passed prior to the Combination laws of 1799 and 1800—led people to believe that that was the common law. After the repeal of the Combination Acts, strikes in general were illegal, especially if they were in restraint of trade. A strike could be legal if persons had no contract of labour and if a body of men refused to be employed unless they were paid a certain wage. That would have been a legal strike before the passing of any of the trade union Acts. In the year 1871 the first Trade Union Act was passed. I intend to go through those Acts and quote them to show where they appear in the present Statute. Section 3 of that Act appears in this Bill as Clause 71, which says—

> "The purposes of a trade union whether an industrial union registered under this Act or not shall not, by reason merely that they are in restraint of trade, be deemed to be unlawful . . ."

That Act was passed in 1871. Because of its provisions, strikes, for the purposes of a trade union, if they were merely in restraint of trade, were not deemed to be unlawful. One of the reasons for passing that Act was that these associations of trade unions were unlawful and the people who conducted them, the secretaries, could embezzle the funds. They did not have to keep a proper accounting of the funds. That was one of the first reasons for passing a Trade Unions Act, and ever since that time there have been provisions in the Trade Unions Acts requiring strict accounting. They have been in the English Act since 1871 and they were inserted in our Trades Union Act. They were probably in our 1886 Act. Certainly they were put in the 1915 Act by Mr. Fihelly in the Labour Government, and they are continued in the Bill. At one stage an hon. member interjected, "Oh, they have always had to account and they have always accounted." I quite agree. Trade unions have always been required to account to their members and I do not think any hon. member would think it should be otherwise.

After the Trades Union Act of 1871, the next relevant Act passed was the Conspiracy and Protection of Property Act of 1875, by which an agreement or combination by two or more persons to do or procure to be done any act in furtherance of a trade dispute could not render them subject to be indicted if such act committed by one person would not be punishable as a crime. That now appears as Section 543A of our Criminal Code. The Bill continues the section.

The next case I want to refer to is Taft Vale Company v. The Amalgamated Society of Railway Servants, reported in 1901 Appeal Cases. In that case there was a strike of railway servants and the union assisted the strike. As a result, the union was sued by the railway company and it obtained a verdict of £23,000 and an injunction to stop the union from further continuing to aid the strikers. That naturally caused a great deal of political ferment.

In England in 1906 the Trade Disputes Act was passed. Section 4 of that Act appears in the Bill as Section 70, and Sections 1 and 3 appear in Section 72. What that Act said first of all was that an act done in pursuance of an agreement or combination by two or more persons, if done in contemplation or furtherance of an industrial dispute, shall not be actionable unless the act, if done without any such agreement or combination, would be actionable. Subclause (2.) of Clause 72 of the Bill provides—

> "An act done by a person in contemplation or furtherance of an industrial dispute shall not be actionable on the ground only that it induces some other person to break a contract of employment or that it is an interference with the trade, business or employment of some other person, or with the right of some other person to dispose of his capital or his labour as he wills"

Those two provisions are of enormous importance, because, combined with Section 543A of the Criminal Code they mean practically that stikes are not illegal in this country and that the unions that, in industrial disputes, bring strikes about, are not liable in their funds.

There was a further provision in the Trade Union Disputes Act, which is a very important provision. It appears as Clause 70 of the Bill. By it an action against a trade union or against any members or officials thereof on behalf of themselves and all other members of the union in respect of any tortious act alleged to have been committed by or on behalf of the union shall not be entertained by any court. That is to say, you cannot bring an action against a trade union for a tort. That is a enormously important provision, and it is one of the provisions that have been considered necessary if trade unions are to perform their proper functions in the community.

Those sections are all continued in the Bill. Of course, there are other provisions that mean that if a trade union owns a motor-car and runs over somebody, it can

be sued. But the property of the union is vested in trustees and the trustees can be sued in respect of that property unless, of course, the case arises in contemplation or furtherance of an industrial dispute. Because it is not unlawful to try to persuade a person not to work for somebody else, and because if an Act done by two people is not unlawful if done by one person, strikes have become legal and it is virtually impossible to punish people for striking.

The next case of interest is the Osborn judgment in 1910 Appeal Cases. In that case a person brought an action against a trade union for a declaration that it was not entitled to use its funds for political purposes, and he succeeded. That virtually deprived the Labour Party in England of its funds. In his judgment, Lord Macnaghten said that in 1871, when the Trade Union Act was passed, no-one had in contemplation political offices. The unions did not intend at that time to use their funds for political purposes. That came later. The Osborn judgment threw the Labour movement into confusion, because Labour members of Parliament had no funds for political purposes. In 1913 an Act was passed in England allowing unions to use their funds for political purposes. That can be traced to our Trade Union Act of 1915 and it appears again in the present Bill.

Questions have arisen as to how far unions should be allowed to use their funds for political purposes. The hon. member for Carnarvon holds very definite views on that subject. He thinks that the Bill should contain provisions to the effect that people's money shall not be used for political purposes against their will. I agree with him on that point. People should not be asked to subscribe to political parties in which they do not believe.

**Mr. Hanlon:** Naturally, you refer to an individual levy, not to the general funds?

**Mr. HART:** I mean if people have to pay money into any fund.

**Mr. Hanlon:** This is a personal levy? You would not deny the right of unions to use general funds?

**Mr. HART:** I do not know what the views of the hon. member are, but my views are that a person should not be required to pay money into any fund for political purposes in which he does not believe. At the same time, if that object can be achieved by agreement with the unions, I think that is a better way of doing it.

All these hard-won rights that the unions now have are necessary to enable them to function in modern society, and provision for them is contained in the Bill. Rank-and-file members are given further rights, and two of the most important ones are contained in Clauses 47 and 50 of the Bill. Their combined effect is that the unions cannot exclude a properly qualified person from the union if he is of good character. If he is so excluded, he can appeal to the court. I think that is only right. If we are to give preference to unions—and provision is made for that in the Bill—the preference should not be used to stop properly qualified persons from obtaining employment.

The scheme of the Bill is this: first of all, trade unions are defined as—

> "Any industrial union and any combination of employees, whether temporary or permanent, the principal objects of which are under its constitution statutory objects."

Clause 44 provides—

> "The registrar may, on application . . ."—

**Mr. SPEAKER:** Order! I hope the hon. member is not quoting clauses in the Bill now before the House.

**Mr. HART:** Just in passing.

**Mr. SPEAKER:** Order! The hon. member knows better than to discuss particular clauses on the second reading. I ask him to confine his remarks to the Bill.

**Mr. HART:** I thought this was part of the fundamental scheme of the Bill that I was endeavouring to explain.

**Mr. SPEAKER:** Order! The hon. member can explain it at the Committee stage.

**Mr. HART:** The point is that an industrial trade union is really a union that is registered under the Act. The industrial union has certain privileges, such as appearance before the court, and preference for its members. But an industrial union has to be a trade union. If its registration is cancelled it is still a trade union, and still entitled to all the privileges of a trade union. It cannot be sued for tort. If its members are on strike they are still protected. Its funds are still protected, despite the fact that its registration is cancelled. Under the Bill the trade union is protected, and there again everything has been preserved.

The identity of the trade union under the present Act is continued. If unions were registered under the present Act they are registered again under the provisions of the Bill. Section 545 of the Criminal Code has preserved the right to have political objects. A trade union is a combination of persons who have statutory objects. As long as it has statutory objects it is a trade union. Statutory objects regulate the relation between employer and employees. They include certain restrictions on trade. As long as there are statutory objects they are trade unions and they get all the protection given by the Bill to trade unions. Under Clause 12 (2) they get protection. They get preference for their members if they are registered as an industrial union. Trade unions are required to account financially to their members; they are required to present balance

sheets. A union has to have a registered office. A copy of its rules must be available at that office. One of the important provisions requires the property of a trade union to be vested in trustees. Trustees can sue and be sued. If the union is registered as an industrial union it is still the trustees who can sue and be sued. If the trade union is deregistered it is still the person in whom the property is vested who can sue and be sued. As it can be seen, great care has been taken to preserve and protect the property of trade unions.

Many questions have been asked, particularly by the hon. member for Kedron, about Clause 98. That clause is not necessarily to protect a union from the consequences of a strike. The provisions of that clause were included in Labour's Section 51 to cover people who beame involved in unauthorised strikes. Clause 98 is in exactly the same shape as the provision in the Act that Labour left there for 25 years.

**Mr. Davies:** No, it is not.

**Mr. HART:** It is exactly the same shape except it has made it possible to have a legal strike. I have made inquiries about this and I am open to correction, but as far as I can see there can be a legal strike in Queensland under the Bill whereas under the Act in its present form there could not be a legal strike. That is because of the existence of the second paragraph of Section 51 of the old Act, which is the clause that has been altered. That section says that a strike shall not be deemed to be authorised until all the members of the industrial union who are engaged in the calling and in the district affected have had an opportunity of participating in a secret ballot taken at a general meeting duly constituted in accordance with the rules of the union, and a majority have voted in favour of such strike.

"District" is not defined, so, after the union has gone to the trouble of taking a ballot they cannot be certain that they have the right district and that all the people in the calling have voted, That has been altered so that it will, in fact, be possible so to do. "District" has been defined so that it can be ascertained and the position now will be that all the people in the area affected and in the district will have a vote. That is something that can be ascertained.

**Mr. Hanlon:** There is no provision to show what happens after the ballot is taken, what action might be taken by the court at any later stage. There is no bar to the court taking action under the Bill.

**Mr. HART:** I should like to point out that the position with respect to the other clauses is exactly the same as it has been for 25 years. Clause 102, dealing with injunctions, is in exactly the same form as it was in the previous Clause 55.

The hon. member for Kedron seemed to think that Clause 36 would make a great deal of difference. That is the Clause enabling the calling of a compulsory conference. I should say it will not make any difference at all because it is exactly the same as the previous Clause 21A, the only difference being that it is the duty of a Commissioner now, as soon as he hears of a dispute, to go along and see if he can settle it.

**Mr. Hanlon:** And he can use the powers of Clause 102.

**Mr. HART:** That is extremely doubtful. If the hon, member looks at Clause 99 he will see that if there is no proper and open ballot taken, it is required to be taken.

**Mr. Hanlon:** But is does not stop the making of an order after the ballot has been taken.

**Mr. HART:** I think the position is exactly as it has always been.

**Mr. Hanlon:** I disagree.

**Mr. HART:** The hon. member may disagree, but Section 21A is still in this Bill and there is no difference in the position from what it always was. Under this Bill the Commissioners are expected to act reasonably as the Court was in the past. The whole difference between this Bill and the Act is that in this Bill more emphasis is put on the conciliation provisions than was put on them before. The purpose of splitting the court in two is to see that conciliators will not be engaged one day conferring round a table with people and the next day will have to come back and punish them. There is provision to make this Bill work.

Industrial law cannot work simply on a system of punishment. If an Industrial Court is acting unjustly and people see it is, nothing will give protection to its decisions and there will be strikes and a series of them. The piont is that the Arbitration Court should exist to settle disputes between people as amicably and as quickly as possible and that is where the emphasis is put by this Bill.

Punishments cannot be effective in themselves. A court must conciliate. I submit that this Bill is in every respect a satisfactory one. Its reception by hon. members opposite shows that they do not think it has ringbarked the court and that they really realise that the whole of the privileges that have been won by trade unions have been preserved and that further rights and privileges have been given to them.

**Mr. NEWTON** (Belmont) (11.50 a.m.): I cannot agree with the hon. member for Mt. Gravatt that we are wasting the time of the House by discussing the present important measure at length. It may be all very well

for Government members to take that attitude, but they have had time to consider the Bill and to put their views at their party meetings.

**Mr. HART:** I rise to a point of order. I did not say that. I want hon. members to be clear on what I did say. I said it was a waste of time to discuss measures at great length at the introductory stage before hon. members had a copy of the Bill. I do not say that hon. members opposite should not discuss a Bill at great length at the second reading stage. I think it is their duty to do so on this most important Bill.

**Mr. NEWTON:** I accept the hon. member's explanation. He did not originally make himself as clear as he has now.

The Bill is a very important one. It contains 140 clauses, including a number in addition to the provisions of the Act. In his reply at the introductory stage the Minister in his usual fashion when contentious issues are under consideration said that A.L.P. members did not know what they were talking about or that the matters raised by them were without foundation. Judging by his speech yesterday, he has reconsidered his earlier view, because he devoted the greater part of his speech yesterday to the points made by hon. members on this side of the Chamber during the introduction. As hon. members of the Australian Labour Party are well versed in industrial matters, their statements would be correct.

The Bill is of vital importance to the Labour movement in Queensland. Before dealing with specific points, I should like to refer to an incident that happened last night. Like the hon. member for Cairns I am concerned about the attitude displayed during the debate last night. Since I have been a member of Parliament I have endeavoured in my contributions to keep the debate on a high level or a decent level. Last night we were attacked purely as members of the Australian Labour Party. As an executive member of the Australian Labour Party, as a State organiser of the Building Workers' Union, and a financial member of that union, as a Federal delegate representing that union and as State President of the Wynnum sub-branch, I point out that my union sought affiliation with the A.L.P. in 1955, and its affiliation was accepted on 14 July, 1955, by members of the inner executive who today are accusing us of being fellow travellers of the Communist Party. The President of the Trades and Labour Council in those days, if I remember correctly, was the secretary of my union, Gerry Dawson, and the persons who accepted my unions affiliation were the late Mr. Harry Boland, Mr. Muhldorff, the late Mr. Schmella, Mr. Gair, Mr. Walsh, the hon. member for Bundaberg, Mr. Cole, the late Mr. Bukowski, and Mr. Brosnan. Those were the people who accepted the affiliation of the Building Workers' Industrial Union, yet some hon. members try to slander every decent member of the Australian Labour Party. They try to dodge the issue by saying that the position now was not as it was when they were members of the Australian Labour Party. I have been a member of the Australian Labour Party since 1947 and I can say with truth that the fine toothcomb was run over me from the top of my head to my toes. In those days I was working in the trade. I was a job rep. on the job and the sub-branch secretary of my particular union in the Wynnum area. I do not intend to waste the time of the House by being side-tracked from the important issues in this Bill, by the smaller issues that have been raised. I am proud to be a member of my union and I am proud of all trade unions and their members, because I have had quite a bit to do with the trade union movement and with rural workers in the State. Before the war I spent all my time working for farmers in rural areas.

I was very pleased with the attitude adopted by the hon. member for Somerset yesterday when he referred to workers in rural industry. It was different from the attitude of other members of the Liberal Party in relation to trade unions in the industrial sphere. I am sure that the hon. member appreciates, just as every other man who works on the land appreciates, the very important role played by workers in the rural areas, whether on stations, dairy farms, wheat farms, or any other farm. I have worked on them and I have had very little trouble with the people who employed me. If I saw a better job offering, with more dough, I took it, and my boss did not think the worse of me for doing that.

**Mr. Armstrong:** You can still do it.

**Mr. NEWTON:** I am told that we can still do it, yet, we heard during the introductory stage of the Bill, from the Government side of the House, that it was wrong for any employee to leave his employer.

Under this great Act that is being discussed, and under the awards for most trade unionists, unionists are employed from day to day. I could go to work today and be given notice at 5 o'clock tonight that I am to finish tomorrow night, and anyone with any industrial experience knows that to be correct. If we were given a week's notice, that would be more sympathetic. However, when employees are used like a tool—and that is how they are used by a number of employers, but not all; there are good employers and bad employers—I state most emphatically I do not intend to be used as a tool, nor do I intend to let any member I represent be used as a tool. As this country becomes more mechanised we will see not just this legislation, but other types of legislation that will be used against the working people of the country. It will not be only in this State but throughout the Commonwealth, because machines in the automation age will replace the present men and women who are doing the work, and the workers will become things of the past.

I was amazed yesterday, when listening to this debate, at the smoke screen that came from the Liberal members who spoke about what they are doing for the rank-and-file members of the industrial unions in the State. Let me make the position clear from the outlook of a State organiser of a union. I received no adverse publicity in the six and a-quarter years that I was an organiser for my union. I have appeared in court, and I have been in the witness box. I operated in the manner that the rank and file of my union desired me to operate. If I went out to a job, and there was a problem, I held a meeting of the men in the lunch hour and I discussed the problem with them. If they asked me my opinion, I told them. If they wanted to take some action by way of a stoppage, or an approach to the boss, the final decision was their decision, not mine. If they did not decide that a stoppage was necessary and they directed me to approach the employer on their behalf, I did it most willingly.

**Mr. Hughes:** That opportunity was not given to the mass of employees.

**Mr. NEWTON:** Here again, we see that the Liberal Party does not understand the workings of trade unions. The State secretary of the union and the different officials are elected by ballot. Each sub-branch, throughout the length and breadth of Queensland, has the right to elect its own branch officers—not paid, of course.

The same applies to the union executives. Each branch has the right to elect its own executive. If I am elected to the executive by the members of the A.L.P. and a decision is made, they back me up. After all, they put me there. If they did not back me up, they would remove me. It is no use putting a man into an executive position if you do not do that. They say, "Right, Fred, you are the bloke for the job. You sit there and discuss these matters and make a decision and you tell us, 'That is the decision we have arrived at. Now we expect you to carry it out.'" That has been the case with a couple of half-day stoppages.

To me a half-day stoppage is not a strike. Goodness me, to hear the members of the Liberal Party in the main, one would think that no people but trade unions and their members have stoppages or disputes or any form of protest on behalf of their rank-and-file members and themselves. It is done by other organisations.

**Mr. Pizzey:** What good purpose was served?

**Mr. NEWTON:** Before the Bill is passed, the hon. gentleman will find out what good purpose was served. Already a number of amendments have been indicated by the Minister.

**Mr. Pizzey:** They were decided on before.

**Mr. NEWTON:** The amendments have been considered by the union representing these workers. They would not have been considered had some action not been taken.

**Mr. Knox:** You are fooling yourself.

**Mr. NEWTON:** I am not fooling myself. I am right on the ball with this one. What did "The Courier-Mail" have to say. "The Courier-Mail" said that the Bill would be introduced and passed through the House in a fortnight. Too right! Do not forget, irrespective of all the side-issues that hon. members throw in, we on this side of the House were the first people to debate this vicious Bill. We put our viewpoints before any others did. We did that in the interests of the working people of the State.

**Mr. Tooth:** Before you knew what was in it and before you had seen it. That is the whole point.

**Mr. NEWTON:** The hon. member for Ashgrove has been a school-teacher in his day and he has taught children, I take it. If he said something in front of the class and then asked, "Right-oh, Johnny, what did I say?" he would expect Johnny to know. We on this side of the House are the same. When a Minister is introducing a Bill we listen to him intently and it is on what he says that we put forward our contributions. In this case we are on the ball. If the Liberal Party in this State think they can fool the rank and file by the contributions they have put forward in the House, they are very wrong, because the rank and file view with great suspicion anything that is done by the Liberal Party in the present coalition Government.

It has been said here that rules of the unions and their balance-sheets are not posted to their members. I have here the rules of my own union, which set out the Building Trades Award—State—general hints on safety, general hints on what to do for electric shock, and so on. I am perfectly willing to make this available to any hon. members opposite who would like to have a look at it as long as he hands it back to me. One is posted to every financial member of the union.

**Mr. DEPUTY SPEAKER:** Order! I must draw the attention of the hon. member for Bowen to the practice of courtesy shown by hon. members in making obeisance to the Chair when they cross the Chamber.

**Dr. Delamothe:** I apologise.

**Mr. NEWTON:** Serious charges have been made about this matter, and as the Minister for Labour and Industry always challenges me to state where something happened and who the employer was, I now ask the Minister to name the unions that are not giving their members copies of the union rules and ballot sheets.

The changes proposed in the Bill do not surprise me, because if we look at the

actions of Tory Governments in the past, whenever the economy of the Commonwealth was in a very bad position and unemployment was as bad as it is in Queensland today, measures of this type have been introduced. It happened in 1929-1932, and immediately the Labour Party regained the Government benches Mr. Forgan Smith had to do something about the vicious amendments that the Tory Government had made in their period. We have seen the same thing happen during the period of office of the Menzies-Fadden Government. Tory Governments never do anything about the big monopolies and combines that make excessive profits by requiring them to use some of those profits in an attempt to overcome a decline in the economy of the State.

**Mr. DEPUTY SPEAKER:** Order! I drew the attention of hon. members yesterday to the fact that reference cannot be made to Commonwealth matters.

**Mr. NEWTON:** I bow to your ruling, Mr. Deputy Speaker.

**Mr. Pizzey:** You must admit we have treated our employees better than your Government ever did.

**Mr. NEWTON:** I would not say that. The principle relating to "economy" that appears in the Bill is very important. It will have a serious effect on court decisions relating to the basic wage, quarterly adjustments, and margins, and they are matters that have a great influence on wages generally in Queensland. The clause, as it now reads, does not make it clear whether the court has to consider the economy of a particular industry or the economy of the country, and I should like the Minister to explain that to us. That is why I introduced a Commonwealth matter—it could be the economy of the Commonwealth or the economy of a State. As I have said in the House before, increases granted by the court, whether in the basic wage or in margins, are now granted on the basis of the production and profits of the particular industry or calling. We must be concerned about this provision, because in the fields covered by the trade union movement some industries can afford to pay increases to their employees on the basis of their production and their profits.

The Minister said that I was opposed to bonus payments. I want to make it quite clear that I am not opposed to the bonus payments paid at Mt. Isa, Mary Kathleen, Mt. Morgan, or anywhere else, where they have been included in the award by the court on the basis of the profits of the company concerned. Only recently we saw in the court a case in which one of these companies —I forget whether it was Mt. Isa or Mary Kathleen—agreed to a bonus payment of £5 a week. After the unions went to the Court and the Court had a look at the position it granted a bonus payment of £8 a week. The other type of bonus payment I am concerned about is the system that operates in most of the light industries. It is a type of bonus paid on what we call a time-and-motion study. Time sheets are studied to see how long it takes to produce a certain amount of goods. If workers take four hours this week they are expected to do it in three hours next week, and two hours the following week. That is the type of bonus system to which I object. As I pointed out at the introductory stage, that is where accidents in industry happen. Such employers will not write the provision for bonus payments into awards. If employees ask for an improvement in their award the bonus payments are taken away from them. The same thing happens after quarterly adjustments of the basic wage. They may be granted £1 or 10s. a week as a bonus payment but even though the employees maintain the high rate of production their bonus payment is gradually reduced until it disappears. That is why I do not agree with bonus payments under that system. If an employer finds that he can pay a little more, why should he not? If he is getting higher production his profits must increase. When he finds he can make bonus payments a provision covering such payments should be written into the award until such time as the employer drops the speed-up methods, and then if he wanted, he could go to the court and ask for the deletion of the provision.

Another reason I dislike the system is that in some industries it can become very difficult for a man or woman over 45 to get a job. I know what happened with one of the biggest building companies in Brisbane, a company that is tied up with many other combines, and makes a huge profit. A man who was looking for a job with this company was told, "Sorry, Pop, there is no job for old men here. We have jobs only for young energetic men." That is the sort of thing that can happen. What a terrible thing to happen to a person who has served his apprenticeship as a carpenter and devoted the whole of his life to the building industry. Admittedly, before the last war he did not have a bad job because the building industry used mainly pine. But since the war, because of the great war effort of the building and timber industry, we are forced to use hardwoods. The timber presently in use is very heavy to throw around and up in the air for a man who is getting on in years. What a terrible thing that after so many years' service in the industry he should be no longer required.

I am very concerned about bonus payments from another angle. The Minister can correct me if I am wrong, but as I understand it the Bill will override all awards. In other words, it will be a dictionary of awards. If a person wants to clarify something in his award he will be able to refer to the Act to get a clear picture. We have to be concerned about these things in an Industrial Conciliation and Arbitration Bill.

The Minister has now extended the bonus provision so that a union official may be present at a discussion between the employer

and employee in this connection, but I should like to make sure that it is not possible for the employers to say that over-award payments and prosperity loadings are bonuses. If that is the case the wages in a number of awards will be reduced as there are over-award payments and prosperity loadings in them. The court in its judgments would not attach such loadings to the basic wage or to the margins. It called them prosperity loadings and as the name implies, the prosperity of the industry is such that it can afford to pay them. I should like that point cleared up.

Another point that is causing me some concern is the talk of many new industries being introduced into this State. Rank-and-file unionists will have to watch their position carefully because it seems to me that overseas monopolies and southern industries are to be encouraged to come here at the expense of the working people of the State. Unless the Minister can clarify the position further it would appear to me that such industries will be given guarantees to the effect that they have nothing to worry about as bonus payments, prosperity loadings and over-award payments cannot be written into the awards. They will be told that they can pay them by agreement, but if they do not like to pay them they need not do so. If an industry is to be encouraged to come here on those terms, I should prefer it not to come at all.

Irrespective of what type of industry is brought here, if it is successful it is as a result of good management and effort by the people working in it. Such success means good production and good profit, so why should not those responsible for that share in the benefits accruing from it?

That is probably the main bone of contention in regard to this Bill. I have studied it page for page and compared it with the Act. It is perhaps true that 90 per cent. of it is similar to the present Act, but we have not been told that a number of paragraphs have been deleted in various clauses of the Bill. That is probably a result of advice received from legal witch doctors and employers' advocates, about whom I could tell one or two stories that would indicate that their records are not very good.

The Bill has been extended to cover partnerships, but it has not gone as far as we should have liked. I am sure that the officers of the Department of Labour and Industry know the position in relation to "ten bob shareholders," particularly in some of the big timber companies like Hancock & Gore, Brown and Broad, and Bretts, where men are told to take out a ten bob share and they are safe. The employee who took out a 10s. share on Monday was told on Friday that he could work on Saturday and Sunday. The employer said, "You won't get the award rates, but you will get something and in the long run you will share in the profits of the company." The workers never shared in the profits of the company because the company made sure there were no profits to be shared, and eventually it bought back the shares. That state of affairs is not covered by the Bill. At the Committee stage the Opposition will put forward a number of amendments covering matters that, in our opinion, should be in the Bill.

It has been said that the Bill contains a number of sections taken from the Trade Union Act. In my industrial experience I can say that the sections of that Act that have been applied have not worried me or my union. Of course, when those provisions are inserted along with other provisions in the new legislation some people who are opposed to the working people will say, "Here is something that was not in the old Industrial Conciliation and Arbitration Act. We will use it against the trade union and its members."

Provisions have been taken from the New South Wales Act. As I said at the introductory stage, it is a pity the New South Wales method has not been applied here. If we are fair dinkum about democracy and want to adapt the law to the conditions of a modern society, we should not go back to the 1880's when trade unionists were treated as convicts and slaves under the provisions that applied in those days. The Government should have followed the New South Wales pattern of reducing fines, rather than increasing them.

**Mr. Pizzey:** There is no bonus payment in their Act either.

**Mr. NEWTON:** We hear again from the Minister for Education. It is a pity his department is not receiving bonus payments at present, having regard to the school position in Queensland. The Minister tried hard to get those payments, but he cannot get any "dough".

I am objecting mainly to the changes in the Act brought about by 10 per cent. of the clauses and the fact that certain parts of sections and the wording of them have been changed by the legal witch doctors. The provisions of the Bill do not cover a number of factors that we think should be covered.

Some provisions have been taken from the Commonwealth Act. Without doubt they are the choicest bits of meat that could be picked out of that Act. Although the changes from the existing law are brought about by only 10 per cent. of the provisions of the Bill, there is no doubt in my mind that those provisions will mean 100 per cent. efficiency in the control of trade unions and the trade union movement. The Government have not endeavoured in any way to preserve industrial peace. They have adopted the methods of some earlier Governments who on assuming power took the whip in hand. It will be a matter of God help those who do not heed the whip. I should be

sorry to see such a state of affairs in Queensland, but that will be the position unless some of the amendments to be moved by the Opposition are accepted by the Government.

Much has been said about conciliation and arbitration. I have made my position clear. As a State organiser I worked more than eight hours a day. I had to discuss many problems with employers—arrears of wages, overtime payments that were not paid and so on. I always found it was better to go and discuss the problems with the employer or his representatives. On some occasions the employer was a company, and the manager wanted to have his accountant there, probably so that he could drag me up to the court if I said anything wrong. I was only seeking justice for the workers, and to that end conciliated with the employers. In most cases I got results, and that can be said of the present court. Where disputes have arisen on jobs—and I have said this before in this House—I have always been pleased to have one of the present members of the Court sitting in at a round table conference with the employers on one side, and the employees' representative on the other, with probably some of the employees off the job. As I have said before, nine times out of ten it has worked. I am a great sticker for conciliation on questions of demarcation and disputes over the upholding of customs and practices that have applied in industry for 50 years or more.

**Mr. Hughes:** You don't want it on bonuses.

**Mr. NEWTON:** The hon. member says we do not want it on bonuses. We would have it on bonuses where they apply and they are protected by being written into the award, but we will not accept them where they are agreed to but are not written into the award. Surely to goodness I have explained sufficiently to the hon. member that instances have occurred where they have been agreed to verbally, but they do not hold water.

I believe in arbitration, too, when every other system has failed. If you have conciliated with the employer on the job, and at round-table conferences, and failed, then arbitration must take place to decide the issue one way or the other.

I do not want to see the present setup in the Court changed because the Court is doing a very good job. However, there is one matter concerning the Full Bench of the Industrial Court that I wish to refer to. At present the Full Bench is comprised of the president and three court members. I do not think that is necessary. The president of the court and two court members are quite sufficient to constitute the Full Bench. When you have an even number on anything, an executive or anything else, how can you get agreement? The position could arise where two are in favour and two against, and that could go on and on. The Full Bench provision of the Industrial Court could be improved.

**Mr. Pizzey:** The Bill does it.

**Mr. NEWTON:** It does, to a certain extent, but I am saying that I do not agree with the Government's ideas. I prefer the present setup. I have no complaint about it. I have been before the Court and I have been in the witness box. It is true that we have not always got what we wanted, but at least we have received a hearing from those gentlemen who have a job to do.

The Minister referred to the work that had been done by the Department of Labour and Industry under his control in dealing with arrears of wages, holiday time, travelling time, tool allowance, and many other provisions contained in awards. I realise the very good job that has been done by the industrial inspectors of the department and here again we must be fair. If it was not for the union officials and the State organisers, 50 per cent. of the arrears of wages would never have been collected. If the inspectors of the department are honest they will tell the Minister that.

**Mr. Morris:** Nobody has denied it.

**Mr. NEWTON:** Yesterday the Minister emphasised what a good job the Government were doing, but he did not explain it.

**Mr. Morris:** I did explain it.

**Mr. NEWTON:** That is where the Minister got very upset. I was nearly thrown out of the House when I tried to correct him on some of the statements he made.

(Time expired.)

**Dr. DELAMOTHE** (Bowen) (12.29 p.m.): As one who represents probably the most militant area in Queensland, which, before altering its thinking to the enlightened ideas of the Country-Liberal Party, was represented for a period by a Communist member, I feel that my many years in that environment qualify me to speak with some authority on the Bill now before the House. I listened for many hours, yesterday and today, waiting in vain for members of the Opposition to spend at least some worthwhile portion of their time on the principles and contents of the legislation.

**Mr. Sherrington:** You were out of the House yesterday, weren't you?

**Dr. DELAMOTHE:** I believe this is the first time that the hon. member for Salisbury has been in the House in the last two days.

**Mr. Sherrington:** You were not here last night, then.

**Mr. DEPUTY SPEAKER:** Order!

**Dr. DELAMOTHE:** It would be better for the hon. member if he spent more time in the House. He would become wiser and

wiser. The dissertations from hon. members opposite covered every possible field except arbitration.

**Mr. SHERRINGTON:** I rise to a point of order. The remark of the hon. member for Bowen that I have not been in the House for two days is untrue and I ask him to withdraw it.

**Mr. DEPUTY SPEAKER:** Order! I ask the hon. member for Bowen to accept the explanation of the hon. member for Salisbury.

**Dr. DELAMOTHE:** With pleasure, Mr. Deputy Speaker, because he is such an insignificant hon. member that one cannot be blamed for overlooking his presence.

The contributions by the Opposition covered every possible field of thought except the Industrial Conciliation and Arbitration Bill. With the so-called militant union officials and organisers about, I expected something approaching the calibre of the attacks that my people in Bowen are capable of, but hon. members opposite are babes in arms compared with the militant unionists up my way, where we have meatworkers, wharf labourers and coal miners who can give members of the Opposition many lessons.

**Mr. Wallace:** Reports from that area do not bear out your remarks.

**Dr. DELAMOTHE:** I am glad the hon. member has raised that point because the very next subject I intended to deal with was reports from my area. I was up there last week and I spent all of my time in interviewing members of these militant unions, including the coalminers at Collinsville, but I heard nothing of the terrific fears expressed by members of the Opposition. They are not having nightmares up there about the effects of this Bill.

**Mr. Tucker:** They are too busy with unemployment.

**Dr. DELAMOTHE:** I invite the hon. member to accompany me to my district, where I will give him a lesson in the relief of unemployment. It would be worth his while to go there to find out just how the members of the Country-Liberal Party in their own localised areas deal with the problem of unemployment.

**Opposition Members** interjected.

**Mr. DEPUTY SPEAKER:** Order!

**Dr. DELAMOTHE:** I am glad that Townsville has been mentioned. In "The Townsville Daily Bulletin" a couple of weeks ago, in two contiguous columns appeared the headings, "Soup Kitchen for Townsville" and "Bowen Booming." Even a child in the fourth grade could work out what that means.

In opening the debate for the Opposition, the Leader of the Opposition sounded a very grave warning about the discontent generated by the Bill. There has been a great lack of evidence of that discontent in my area. I refer again to the newspapers. Reports in the metropolitan Press about last Wednesday morning's stoppage indicated how negligible was the discontent evidenced by that meeting.

In contradistinction to our friends in the Opposition I want to speak about arbitration. I want to introduce that subject by saying that to hon. members opposite arbitration is something of a holy cow; it is something that is sacrosanct, something that must not be touched; it must be bowed down to and worshiped like a golden calf. I suppose this attitude of mind is not to be wondered at, because during the many years when the A.L.P. occupied the Government benches in Queensland, many worthwhile alterations were made to the Industrial Conciliation and Arbitration Act, and it is a psychological certainty that they would believe that they had evolved the perfect instrument. Because it was devised and fashioned by the various ministries of all the talents, it is something in the nature of a sacrilege for this Government, which. in effect, is a ministry of many talents, to attempt to improve on what they consider is the perfect instrument. I can see the point of view of the hon. members opposite, but I ask them to be reasonable and to give credit to hon. members on this side of the House for being just as concerned as they are about peace in industry.

They constantly chide members who believe in the political philosophy of this Government with representing only the employers. I do not agree with that or subscribe to that line of reasoning for a moment, because I think there are very few people in Queensland who could not be classed as workers and we sink or swim together. We are a small community in in this State, and what affects one affects the other. None of us can live to himself alone. Any deleterious effect on one section of the community is very quickly reflected in a deleterious effect on the other sections of the community.

The yardstick by which this Bill should be judged is, again in the words of the Leader of the Opposition, its capacity for bringing employer and employee together. If the Minister has done nothing else in the Bill. he has introduced many changes that make that rapprochement between employer and employee so much easier. None of us likes to see interruptions of work; all of us are anxious to find means of preventing disputes from turning into stoppages. So I come to the real crux of my thinking on this Bill—its capacity to promote conciliation.

Before dealing with that, I would, in passing, sound a note of warning to my friends in the Opposition. I know that if I were to accuse them of being Communists they would rise and deny it, and I would

not think for a moment of making that accusation. But I should like to tell them a little story. It is not a bed-time story but one that some hon. members may have read. It is the story of the time when the birds decided to appoint a king.

**An Opposition Member:** The galahs on the Government benches.

**Dr. DELAMOTHE:** The galahs over there that make a noise like the crackling of thorns under a pot.

The birds decided to elect a king. The various aspirants were called upon to address the assembly of birds. The owl who squawked and made unintelligible noises, like our friends the Communists, was appointed king because the birds considered that as they could not understand what he was saying it must be something very wise, and therefore they could do no better than fall in behind the owl. The owl marched them down the main highway where before very long a large speeding truck came along and wiped out all the birds. Although it is a story suitable for children five years old, the moral of it is suitable to impress on some of the highly intelligent members of the Opposition. I have heard some of them defend, not the Communist creed, but the activities of Communism. As I said earlier, a word of warning to the wise will be taken by them in the spirit in which it is given. I have seen it, they have seen it, and they must know that militancy and solidarity, the hallmarks most to be admired in union activities, become very quickly confused with Communism in the minds of many people. As one Opposition speaker said last night, he could not tell the difference, and who could tell the difference, between militancy and Communism.

**An Opposition Member:** Who said that?

**Dr. DELAMOTHE:** The hon. member for Burke.

The Communists will use hon. members opposite as they will use union officials. They regard them as expendable stores and write them off when their usefulness has ended.

I should like to draw attention to what is happening in my own area in the last three or four weeks. I refer to the highly skilled development of job committees, leading to area committees, that are leading people into strikes against the wishes of the officials of their unions. I sound that note of warning because I think that it is very apposite. In "The Courier-Mail" of 8 March Mr. A. Macdonald, secretary of the Trades and Labour Council, is reported as having made the following statement:—

> "We warn the Government that the trade union movement will resist the penal clauses with all the forces at its command, and will not forgo the fundamental rights of trade unions to collectively organise and bargain on behalf of members."

That brings me to the conciliation phase of the Bill. If the whole meaning of the legislation is not conciliation, it means nothing at all. Conciliation does connote the capacity, which is the characteristic of our race, to be able to get round a table, reach a compromise, and go away happily together. Conciliation cannot be carried out where one of the parties around the table acts like a highwayman and says, "Stand and deliver or we will put you out of your misery." Too much of that sort of thing happens and there are strikes on this, that and the other matter. That is no way to act and it is quite foreign to the characteristics of our Queensland people.

The Leader of the Opposition rather deplored that the financial commitments of unionists precluded their being as interested in industrial activity today as once they were and he instanced the paying off of houses, cars, and what you you. The capacity to do that shows that there has been some little improvement on the bad old days when such a thing was undreamed of. Even the previous speaker, the hon. member for Belmont, spoke very proudly of the various loadings secured through the activities of himself and his union to increase the prosperity of the members in it. That is borne out, of course, by statistical evidence that the average take-home wage in Australia, including Queensland, is now about £10 a week above the basic wage. It shows that there is at least a sharing of some of the prosperity that is evident in this country.

**Mr. Inch:** The sharing of the prosperity was not voluntarily offered by the employers; it was gained through the court.

**Dr. DELAMOTHE:** That is what the court is for. Conciliation, the capacity to get around a table and reach a compromise is, as I said before, characteristic of us. When all else fails then you must have somebody to keep the ring, some arbiter to come in and give a decision that will be obeyed by both sides.

The hon. member will know with his experience in many industries that both sides cannot win. Only one side can win and if you get a fair share of wins over a period, then the Arbitration Court is functioning well.

If arbitration legislation makes it possible to get around a table, confer and conciliate without a stoppage of work then it is also doing its job rather well. I know hon. members opposite belong to unions that have carried this out very successfully.

I should like to refer now to some specific principles in the Bill because they have a strong bearing on the matter. The first is the capacity under the Bill to accumulate sick leave. I speak of this because of my medical experience. I know how little worth while, in many illnesses and many accidents outside of the scope of the Workers' Compensation Act, one week off for sick leave

is. In my experience as a local authority head and so an employer of much labour, including powerhouse labour, I was always prepared to allow the employees to accumulate sick leave against the day when some serious illness or serious accident would make a call on it necessary. I think it is a very good idea, because hon. members who were industrial organisers and union secretaries know as well as I do what happens. When a worker is limited to a week's sick leave a year, he will take it out in a day here and a couple of days there, and make sure he gets the week.

**Mr. Sherrington:** Only a small minority do that.

**Dr. DELAMOTHE:** The hon. member would not know how big the majority is. The right to accumulate sick leave prevents disturbance of continuity of work and provides an extra insurance for the worker against the day when he will almost certainly have a serious illness or accident. More emphasis should be placed on the very worthwhile nature of the provision.

**Mr. Hanlon:** You favour our suggestion of a credit fund, something like workers' compensation?

**Dr. DELAMOTHE:** No, I favour accumulation of sick leave from year to year.

**Mr. Hanlon:** You get into difficulties if a worker changes his employment.

**Dr. DELAMOTHE:** That problem has been solved in long-service leave, and it should not be hard to solve in this respect.

**Mr. Hanlon:** A cash payment would be a very bad thing, I should say.

**Dr. DELAMOTHE:** I agree. In certain seasonal industries an hourly or a weekly loading in lieu of sick leave is paid. It is swallowed up in the total amount paid and does not serve the purpose for which it was devised.

I should like to refer particularly to long-service leave and its application to an industry in my area, the meatworks. Many hon. members have meatworks in their electorates and I am quite sure they are very happy about the provision. With the changing scene in meatworks, the turmoil and the possibility of trouble and the possible change or urge to change from State to Federal jurisdiction, hon. members should be happy in the knowledge that if that does occur in any particular meatworks the entitlement of long-service leave will carry over from the State award to the Federal award. That is a very important provision, because it takes a long time for a seasonal worker such as a meatworker to get sufficient days or weeks of work to entitle him to long-service leave. It would take any time up to 30 or 35 years. I am very pleased to know that even if awards change the entitlement does not.

Speaking about increasing the capacity for concilation, the fact that instead of waiting for disputes to occur the Industrial Commission will be able to anticipate the action by getting the contestants together and attempting to settle the dispute is a vast improvement.

The Bill also preserves the entitlement to appeal from an industrial magistrate to the Commission and to the Court. Those provisions make it possible, and with goodwill on each side, certain that many senseless stoppages will no longer occur. The Minister and the Government are to be complimented on bringing forward a measure that will achieve that end.

**Mr. TUCKER** (Townsville North) (12.55 p.m.): The hon. member for Bowen referred to the huge volume of public works now being carried on in the Bowen area and when I asked him what that proved, he said that it extolled his representation of the electorate. I should say that it indicates that the Government are very conscious of the fact that the hon. member has a very precarious hold on what should be a Labour seat, and they are spending large sums of money on public works there.

**Mr. SPEAKER:** Order! The debate is not about the merits or demerits of a particular member of Parliament, or any electorate.

**Mr. TUCKER:** The hon. member for Bowen said that he mixed daily with militant members in the meat works and in the coal mining industry in Bowen, and that they had spoken of the good conditions in the Bowen area. The hon. member referred to also said that there was nothing wrong with the conditions of employment in the area. I believe I also heard the hon. member say that the members of the unions in Bowen to whom he referred would be militant giants in the industrial field compared with the pygmies of the metropolitan area. What would the hon. member know about militancy, or trade unions? He should keep to peddling his pills in Bowen.

**Mr. SPEAKER:** Order! If the hon. member cannot keep to the Bill I shall have to ask him to resume his seat. He must refrain from making personal references.

**Mr. TUCKER:** A great deal was said about the Communist bogey, both at the introductory stage, and on the second reading of the Bill. I have listened with growing apprehension as one hon. member after another rose on the Government side of the Chamber and said that the Bill provides an effective way of combating Communism. I listened to their smug, self-satisfied expressions when they declared in their ponderous recitations that they made in this House, that the Bill would rid the unions of this evil. I also listened with growing apprehension to hon. members opposite who subscribe to that theory but who know

nothing about Communist tactics in unions. They are politically naive about Communist tactics in unions.

**Mr. Smith:** Tell us about their tactics.

**Mr. TUCKER:** I will tell the hon. member. The only effective way to beat the Communists is to go to the unions and wrest from the Communists the positions they hold in the unions. Can the members of the Liberal Party do that? Of course not! Yet they pose today as the saviours of the nation. When we of the Australian Labour Party, who meet this threat face to face, get down into the unions and the industrial movement and talk, organise, and fight, what are the reactions of the people who sit on the Government benches today? What are their reactions to our genuine efforts to be rid of this ideology? In the main, hon. members opposite use cheap gibes and innuendos and smear us in the House at every opportunity so that the Press may take it and carry it far and wide in the country so that the general public may be confused and led to think that we are fellow travellers. Why do they do that? It can only be for the sake of some cheap political advantage; it shows just how genuine they are. When it comes to Communism, they are politically bilious. I have always been apprehensive, and I was taught to be apprehensive, of a fool, and I have been taught to be more apprehensive of a fool with power.

Let us get this matter in its right perspective. If any people today are guilty of pushing this country right into the arms of Communists, they sit presently on the Government benches.

The citizens of Queensland might reasonably assume that, before the Bill was introduced into the House, every sentence, every word, every thought, would have been weighed by the Government. It is reasonable to assume that every aspect would have been considered so that the welfare of the people would not be placed in jeopardy in any way. It would also be reasonable to assume that any amendment of the Act, which has operated so well in Queensland for the past 30 years, would have emanated from a Select Committee. That Select Committee, to our idea, would have been representative of all sections of the community with a practical knowledge of arbitration in all its facets. On the Minister's own words, a committee was set up. But no Act of any consequence is any good unless it can stand the acid test of practicability. Who would have been better able to advise on this Bill than the members of the trade unions themselves—those who had knowledge of the desirable parts of the Bill and those who had knowledge of the weaknesses of the Act? So it is reasonable to assume that, before such far-reaching legislaton was introduced, the Minister would have sought, within reason, representation from such people. It is reasonable to assume that the Government would have sought the advice of those who will administer it as well as of those who will be forced to work under it. If it were found not to be acecptable to all sections of the community, it could be thrown on the political scrapheap right from the start.

Let us see what really happened. On the Minister's word, a committee was set up, but it had no representatives of the trade-union movement. It had no representative of that section that deals with arbitration and conciliation almost every day of its life. Those people could have advised him and warned him of the pitfalls to be met and the desirability of altering this or that to improve it. They were in the box seat to give the Minister the working man's viewpoint, and, after all, the working man is the person most vitally affected by this Bill. If a Bill were being introduced that vitally affected big business, I can imagine the howl that would be set up if the Committee investigating it consisted only of representatives of the trade unions. In reverse, that is exactly what has happened on this occasion. Hardly any of the members of that committee had any practical experience in arbitration, yet they were the chief authors of this legislation. Their names have been mentioned; we all know who they are. I do not cast any reflection on themselves, but we are quite certain that the members of that committee should have been steeped in the ideals of conciliation and arbitration.

Was every aspect of this legislation carefully considered? To me, it would appear that it was not, because the Minister has said he will be introducing 29 amendments of his own. No doubt he will claim that that shows his democratic outlook, representations having been made to him by the unions and other interested parties, but I say that it is a striking indictment of the Minister and his advisers that such a great number of amendments are considered necessary at this juncture. It demonstrates clearly the devil-may-care attitude that he apparently has adopted to some of the most vital legislation affecting the direct welfare of every man, woman, and child in Queensland. It demonstrates a lack of clear thinking and an absence of advice and correct procedure. It also demonstrates to me how badly he is out of touch with community thinking and how hasty he has been. After introducing the Bill, he proposes to move 29 amendments. Those amendments would have been unnecessary if there had been a proper approach to this legislation in the first place. Perhaps it might have been necessary to make one or two amendments, but 29 amendments after a Bill has been introduced is probably a record. The amendments have been forced on him, some of them by his own masters, some by public opinion, and some by unionists. It was obvious even after the Minister's introductory speech that amendments would have to be made, and they are being made now not because the Minister is democratically minded, because, if he were, initially

he would have had the kind of committee that could have warned him of the pitfalls that were pointed out to him later and which have brought about these amendments and a number of others that are mooted for the future.

Time and again in this House we have had examples of the Minister's brand of democracy. As I mentioned before, he has been prepared to link innocent people's names with the ideology that we all despise. Hon. members have heard him do that, and they will realise that what I say is true. A direct result of some of the ill-conceived clauses of the legislation was the four-hour stoppage last week. Though the Minister seeks to place the blame in other directions, it can be laid squarely at his own feet. The savage increases in penalties for breaches of the Act and the award, calculated to re-act only against trade unionists and trade-union leaders, can bring only one reaction as far as we on this side of the House can see. In my opinion the reversal of the well-known legal principle concerning liability for the acts of other persons was calculated to inflame trade union leaders right from the start. Surely there is no place in a conciliation Act for provisions imposing monetary penalties and terms of imprisonment on union officials who are carrying out the fundamental requirements of their positions, yet we see them in some of the clauses that will be debated in Committee. Patterned as it is upon the Commonwealth Conciliation and Arbitration Act the Bill goes even further and plays right into the hands of those who wish to see arbitration destroyed in Queensland. The right to strike has always been the prerogative of unionists. The Bill virtually takes this right away and seeks by imprisonment and coercion to emasculate the trade union movement completely. The claim is made that certain clauses are designed to give unionists the right to run their own affairs. Previous speakers have made it only too clear that that always has been the case.

It is a pity that the Government have not seen fit to show more concern about the tricksters and confidence men in the share rackets that have been exposed through the Press in the last week or so. Employers' organisations are still maintaining high profits, yet there is no suggestion about forcing them to disclose their complete assets and profits for the benefit of shareholders. Is it any wonder that the general public has shown a complete lack of confidence in the Bill? If arbitration is to work successfully it must have the faith of all parties. That has been agreed upon by previous speakers.

In the North we are vitally concerned about the part of the Bill dealing with bonus payments. As Townsville is the great port that serves Mount Isa it is natural that we should worry because it is obvious that that part of the legislation will vitally concern the welfare of thousands of people in the Mount Isa area. The complete stoppage in Mount Isa last week indicated the thinking of the workers in that area. They stand to lose more than anyone else in the State by way of bonuses. The court refused to proceed with the hearing of their bonus claims because of the pending legislation. The court said that they would adjourn the application and wait and see what happened. The Bill lays down that bonuses are not now to be granted by the Court—bonuses can only be reduced or abrogated by the Court. Is anyone naive enough to think that Mount Isa Mines will lift the bonus payments of its own accord? Far from it. Rather, over the years, we have seen repeated applications by Mount Isa Mines to reduce the bonus. Only the vigilance of the A.W.U. has prevented it. A blind man can see what will happen very shortly after the Bill becomes law. No doubt at the earliest opportunity Mount Isa Mines will take steps to have the bonus reduced through the procedure of the Court. The Court will not have the power to grant an increase, but strangely enough it will have the power to reduce it or abrogate it. What does the Minister think will happen then? Is it his considered opinion that the unionists in the Mount Isa area will take all that lying down? If the bonus is withdrawn the average worker could not afford to live in Mount Isa. I say that advisedly; I know it to be true. The union out there and the unionists themselves describe the bonus as the workers' lifeblood. For the reasons I have given earlier, we of the A.L.P. feel that in spawning certain clauses of this legislation the Minister will open up an area of great industrial unrest in Queensland. With the tremendous amount of unemployment already existing in North Queensland, I should say that certain clauses of this Bill will add a note of pessimism there.

**Mr. DEWAR** (Wavell) (2.31 p.m.): I did not intend to speak on this Bill because, frankly, I feel that there has already been too much discussion on it already at this stage. It is the type of Bill that peculiarly lends itself to a discussion in Committee. There will be every opportunity for those who wish to support or oppose any aspect of it to do it properly.

**Mr. Houston:** You apparently do not realise that all the clauses apply together.

**Mr. DEWAR:** Be that as it may, hon, members have had the Bill for a considerable time, far longer than was the case when hon. members opposite were the Government.

**Mr. Houston:** That is nonsense.

**Mr. DEWAR:** It is not nonsense. The hon. member may not always agree with what I say but he cannot dispute that statement.

First of all I should like to comment on the remarks of the previous speakers. The hon. member for Townsville North spent virtually half his time in criticising what he chose to call the cheap jibes from this side of the House. He showed great concern about what he called our methods and added that such cheap jibes uttered, were only to allow the Press to bandy them about the countryside. I have been a member of Parliament for some years and I have never known the Press to use that type of propaganda. I have yet to find anyone who has secured a line in the Press when his speech comprised mainly abuse and innuendo. Most of the speeches of the hon. member for Townsville South are of that type but he rarely gets any publicity. He is well and truly out in his statement.

He also spent a great deal of his time in criticising the Minister for what he said was bad legislation. He asked the Minister if every aspect of the Bill had been considered. I have known the Minister for a long time and I am familiar with his work in this House. I know that he always spends a great deal of time in investigating the subjects on which he wishes to speak, and that was particularly so when we were in Opposition and I was closer to him. However, apart from my opinion of the Minister and my knowledge of his work in this House, I know that he, his officers and his parliamentary committee have done more work on this Bill than he as a Minister of the Crown has done on any other Bill. It is my honest belief that the Minister has gone into every aspect of this legislation. He has left no stone unturned.

The hon. member for Townsville North said that the Minister claimed to be democratic because he gave the public an opportunity to suggest amendments, and he asked how bad the legislation must have been if 29 amendments are now to be introduced by the Minister himself. That is a fantastic statement. Hon. members have the proposed amendments before them, and anyone who cares to look through the list will see that with the exception of three or four amendments they deal with a new description of "occupier", the ommission of the words "of employees", the substitution of the words "industrial union" for "particular union or organisation", the omission of the word "or", the substitution of the word "subsection" for the word "paragraph", the insertion of the words "Queensland Government Industrial Gazette", the omission of the word "worker" and the insertion of the word "employee" and so on. Virtually all the amendments revolve round a change of word, a comma, a full stop, the addition of the word "and" or "of", yet the hon. member for Townsville North has the nerve to criticise the Minister on the ground that this is hurried legislation. Although he did not use the term, that was the implication of his statement, and he based it on the fact that the Minister proposes to move 29 amendments.

Four of the proposed amendments deal with the omission of the word "delegate". They provide a classic example of the majority of the amendments foreshadowed by the Minister. In the main they are consequential amendments, yet we had the spectacle of the hon. member for Townsville North criticising the Minister severely for introducing what the hon. member for Townsville North is pleased to call ill-considered legislation. Most of the speeches of A.L.P. members have been along similiar lines.

I said earlier that it was not my intention to speak on the Bill, but I must say that I was surprised at the attitude of A.L.P. members. From my observations of those who have spoken I should say that basically the solid core of A.L.P. members think the Bill is a very fine one. I come to that conclusion because the more responsible and more experienced A.L.P. members have not gone to any great lengths in personal criticism nor have they cried "wolf" about the Bill. But the A.L.P. members who are fairly new to the Chamber have adopted another line, a continuous grind of criticism, which leads me to assume that to a very large extent they have made their claims either because they feel they have to say such things so that their union supporters will know they are on side, or because they have received suggestions that they should say these things. The official Opposition, responsible A.L.P. members, in my opinion know it is a good Bill. I say sincerely that A.L.P. members as a political group in the community are just as much opposed to Communism as any hon. members in the Chamber. I believe that as individuals they are genuine in their desire to fight Communism.

Whenever any subject matter of the nature covered by the Bill comes up for discussion we always have some hon. members opposite who try to get up on the band-wagon. They jump up and give the same story that Communist extremists give. Although they give their views as their opinions, we find that their stories are the same as those of Communist extremists. There is an old saying that if you see a bird that looks like a duck and quacks like a duck you are entitled to assume that it is a duck. It can be applied to hon. members who indulge in that sort of talk in the Chamber.

I repeat that in the main A.L.P. members are just as genuine in their desire to fight Communism as any other hon. member in the Chamber, but they with others who recognise Communism as a foreign ideology that we do not want in this country must accept the fact that we are entitled to say to them that in their work here and in their work as active unionists they have been

unsuccessful in combating the rise of certain Communist-controlled trade unions in this State. I believe that there is great concern about this Bill amongst a section of the Trade Union Movement, but it is not among the rank-and-file members of the Trade Union Movement. The hon. member for Bowen, Dr. Delamothe, said that he was amongst his people in Collinsville and in other areas in his electorate last week and nowhere did he hear any indication of any concern on the part of unionists about the Bill.

**Mr. Davies:** I do not think he would have his finger on the pulse.

**Mr. DEWAR:** I should say that is a very unreasonable thing to say. I believe that the hon. member for Bowen deliberately went into those areas to ascertain the feelings of his people.

**Mr. Hanlon** interjected.

**Mr. DEWAR:** While the hon. member is at it he could feel the pulse of some hon. members on the other side to good advantage. I think the hon. member would be able to feel what was going on in an area that is reckoned to be a militant area; he could detect any serious concern about this legislation. I believe that the only concern in the State today about this legislation is in the minds of the Communists, or militant, or extremist elements, that have been able to gain control of certain unions in the State. They realise that the Bill is the first real attempt by the legislature of the State to upset some of their strongholds. The Bill does not cut across the genuine desires of the rank-and-file unionists, but it goes a long way towards placing a weapon in their hands to defeat the extremist elements who have made them toe the line for so many years.

**Mr. Hanlon:** That would scarcely apply to the A.W.U. stoppage at Mt. Isa.

**Mr. DEWAR:** No. There are exceptions to every rule. The hon. member will agree with that.

That is why there has been so much spurious resentment of the Bill. It comes from those who do not want to see their power whittled away from them. The Bill in no way affects the right to strike. On the other hand, it assists in the prevention of irresponsible action, and it gives greater opportunity for the rank and file members of the union to take an active interest in their own affairs.

I wish to quote some past history. Hon. members will recall that in 1946 there was a meat strike extending over 18 weeks. The collapse of the strike was brought about by the rank-and-file members of the union. As I said earlier, this Bill forges a weapon for the rank-and-file members of the unions to use against the dictatorship of extremism. I repeat that it was the rank-and-file members of the union who brought about the collapse of the strike.

**Mr. Houston:** What weapons can they use?

**Mr. DEWAR:** Throwing aside their Communist control.

We remember the report of Mr. W. Thieme, an industrial reporter of "The Courier-Mail" who at that time said that he was a member of the A.L.P. and a unionist for 23 years. He reported in "The Courier-Mail' of 11 July, 1946, regarding the final meeting held in the Brisbane Stadium. I wish to quote from that newspaper article because it gives an indication of the history of the arbitration system of this State over the years, and it shows clearly that in 1946 the rank-and-file members took control of a strike that had been created by Communist agitation. It was felt that it was the deathknell of Communist control in the unions at that time. Unfortunately, within two years precisely, the same position obtained again, and the same elements regained control of much of the industrial section of the community. Mr. Thieme said—

> "Queensland unionists have cast Communist control aside.
>
> That was the first impression I formed of yesterday's amazing anti-climax to the meat strike.
>
> The end of the meeting of meat workers at the Brisbane Stadium yesterday was terrific, devastating; it was better than anything I had ever imagined possible in industrialism in this State."

Never before have men shown their resentment in such a sustained and determined manner.

Never before had I imagined possible such displays of courage as were turned on by Mick Kearney, organiser of the Meat Union, and Bob Dixon, southern district secretary of that union.

After yesterday I shall always subscribe my name to the multitude who believe that 'truth will out.' It hurt quite a lot of people in the Stadium yesterday. It must have stung those on the platform to the quick.

When the end came there was more applause, more cheering, more booing of those at whom the truths were directed than you have ever heard at any boxing contest in the Stadium or are ever likely to hear.

Remember, those men had been out of a job, in many cases, for 18 weeks. Others had been on less than the breadline for 15 weeks.

That's a long time, what with cost of living as it is. Too long, in fact, for any man's savings to last the distance.

Whatever will be said about the strikers now that it is all over, it must go down on the record that they were the most loyal known in this country for many years.

But the tragic fact is that they stood fast in the face of false leadership.

Like all protracted strikes—and I have had wide experience of them both as a newspaper reporter and as a union man—this one was no exception. Tempers were frayed many weeks ago. Every trade union official you met was on edge and it was always easy to land yourself in trouble.

The 2,500 men and women who attended yesterday's mass meeting—it proved a final rally—listened patiently while Neumann, of the Meat Union, Macdonald, of the Ironworkers' Union, Graham, of the Waterside Workers, Field, the Meat Union President, Millar, of the Coal Miners, and Ridsdale, southern district Meat Union president, addressed them.

Their speeches all followed the same line. Each emphasised that the resolution to return to work was the recommendation of the Trades and Labour Council disputes committee.

So far so good. Allegations had been passed to the strikers long ago that Mick Kearney and Bob Dixon were no good, that they were trying to sabotage the strikers, break up the show, and smash the Union.

There had been many heated arguments at meetings of the meat executive. The last of them occurred only yesterday morning before the disputes committee met.

It ended when Kearney threatened to throw his Communist branch president, Ridsdale, through the office window.

Bob Dixon had often challenged some of the Communist members of the executive, notably Ridsdale and the State president (H. Field). His challenge was never accepted.

News of these incidents got about. It was no wonder, then, that when Kearney rose to speak at yesterday's meeting he was loudly jeered.

But inside five minutes—five minutes of truth telling—they were cheering him.

When Kearney told them that the recommendation for a resumption was his creation, which had been turned down by the disputes committee on Friday, the cheers were deafening.

Then Box Dixon took on his Communist adversaries one by one. He named them and pointed to them as he drove home each point, as he uncovered the plotting that had punctuated every strike move.

He told the big crowd how Kearney was to be the dupe in a Communist plan for the whitewashing of the 'scabs' in the bacon factories; how had he done so, he would himself have been branded 'scab' for all time.

'The Commos wanted your union to be smashed,' he said. 'Kearney and I wanted you to go back to work as one solid block, with your union intact and the employers still having to recognise it.

And these Commos on the platform (and Dixon looked round and indicated and named them) have the hide to tell you that this is their recommendation.'

The cheering was almost horrible.

The truth had been told. Not one Communist on the platform protested. Now not one would have got a hearing."

So the story goes on, and it is a story that is probably well known to experienced members of this House. But Mr. Thieme ends with this—

"Yesterday they published a pamphlet in which they accused 'The Courier-Mail' industrial writer of all the things I have mentioned. They did not name me because they did not dare. They complained that the industrial writer never divulged his name."

And this is in the same article, Mr. Speaker—

"My name is Bill Thieme. I have been a member of the A.L.P. and a unionist for 23 years. To 'Courier-Mail' readers and to meat workers, let me say that my principles have emerged from this strike unimpaired. They shall continue to be guided by the principles of truth, however irksome this may be to those who fear the truth."—

as indeed the Communist agitators of this city and this country fear the truth. They fear this Bill because, for the first time in the arbitration history of the State, here is a weapon for the rank and file to beat them over the head.

There is another matter that I wish to put before hon. members because I believe it is very important. Before doing so, I shall refer briefly to the 1948 railway strike. The Communists again took control. It resulted not only in thousands of decent unionists being deprived of work and being required to suffer great hardship but also in retarding the development of this great State in virtually every way. No doubt members of the Australian Labour Party who occupied the Government benches in this House at the time, and the men within the unions who hate Communism and every part of it and have made it their fight to beat this element within the unions, hoped that the debacle of the Communists during the meat strike in 1946 would wipe out for all time Communist control of unions in Queensland, but by 1948 it is again rearing its ugly head.

We all recall Communist Rowe and his part in the strike. The Leader of the Opposition will recall him well, and so will his deputy. However, by the severe legislative measures introduced by the Hanlon Labour Government—as already stated, they were much more severe than anything contained in this Bill—the Communist control of the workers concerned was broken and

industrial peace reigned again, the Communists having received another severe setback. Now we find that only last week those same elements were able to create a strike on the basis of half a day away from work. Although they claimed to speak for the workers within the Trades and Labour Council group, we saw evidence that many unionists who have no desire to be pushed round by Communist dictators refused to take any notice of the strike called by the executives of the unions, and that strike was a dismal failure.

In conclusion, I wish to tell hon. members a story that was told in Federal Parliament last week. I tell it here as the story told by the man who made the speech in Canberra, not as my own story. These are the facts as he saw them. They could occasion many howls of derision from members of the Australian Labour Party. Instead of inciting them to do that, I want to read this story quietly and to ask any subsequent speakers to deny that it is true.

**Mr. SPEAKER** Order! I hope this has some bearing on the Bill.

**Mr. DEWAR:** It has every bearing on the Bill. It ties up the points that I have been making that this Bill gives rank and file members of the unions the opportunity of taking control of their union affairs. We believe, and I have no doubt that some hon. members opposite believe, that many of the unions in Queensland are under the control of Communists and foreign ideologies. So that it may be recorded in "Hansard" just where these ideologies lie, I propose to read from this speech, which gives the structure of the Trades and Labour Council in Queensland.

I am quoting from page 168 of Federal "Hansard" of 14 March, 1961, an extract from a speech made by Mr. Bruce Wight, the hon. member for Lilley. He said—

> "Let me inform the House about the Trades and Labour Council in Queensland, and let me name the people who are principally responsible for dictating Trades and Labour Council policy in that State. When I name a man as a Communist let it be understood that I do not base my statement on hearsay. Any man on the list which I shall read whom I call a Communist is a man who has a current membership ticket in the Australian Communist Party and has attended a meeting of the Australian Communist Party within the last twelve months."

**Mr. Hanlon:** How does he know?

**Mr. DEWAR:** I want hon. members opposite to hear this so that they will have an opportunity of denying it, if they so desire. Mr. Wight continued—

> "Among those whom I shall not call Communists are some who have held tickets in the Communist Party but have not attended meetings within the last twelve months and have now given it away. The president of the Queensland Trades and Labour Council is John Egerton, a man who sits on the Queensland Central Executive of the Australian Labour Party and who has been described by Labour members of the Legislative Assembly in the Queensland State Parliament as a rat. But this man sits on the Queensland Central Executive and helps to make the policy that is dictated to members of the Australian Labour Party. This man is not a member of the Australian Communist Party because if he were he no longer would be any use to the Communist Party in Queensland and would be dropped. He is president of the Trades and Labour Council because he is the useful tool of the Communist Party in that State. It pleases the Communist Party to keep him there even though I heard a Labour man describe John Egerton as a person to whom he would not give a job even as an office boy. In this man's opinion John Egerton is a 'nong'. I quote his exact words.
>
> There is Mr. F. O'Brien, of the Sheet Metal Workers Union, who during 1958-1959, did not attend one meeting of the Trades and Labour Council, but at the end of the year when the election of officers for 1960 was held he was re-appointed as treasurer. I remind you, sir, that no election of any description took place; this man was re-appointed as treasurer of the Trades and Labour Council. There is Mr. Arnell, of the Waterside Workers' Federation who won his position on the executive of the federation on the unity ticket that has been displayed in this Parliament—the same unity ticket of waterside workers as was used in 1958, 1959 and 1960.
>
> Then we have Mr. A. H. Dawson of the Electrical Trades Union—Archie Dawson, a member of the Australian Labour Party and not a Communist. Recently he visited Communist China and returned starry-eyed carrying a red flag and talking of the wonderful job that is being done by the Communist regime in China. Then there is Mr. F. J. Waters, of the Amalgamated Postal Workers' Union of Australia, a man with extremely left-wing tendencies. He is a member of the executive of the Trades and Labour Council and his only friends seem to be members of the Communist Party. Then came Mr. B. Milliner, of the Printing Industry Employees' Union of Australia——"

**Mr. SPEAKER:** Order! I think the hon. member has covered sufficient ground to make his point. I ask him to confine the rest of his remarks to the Bill.

**Mr. DEWAR:** I do not question your ruling, Mr. Speaker. I have not quite finished my point but in deference to your ruling,

Mr. Speaker, I shall not quote any more. I am content to point out that the names of at least seven or eight other members of the Trades and Labour Council are mentioned in that speech. It tells a very sorry story of how the Trades and Labour Council is in the grip of the Communist Party. You realise how much the trade union movement of Queensland is in the hands of these people when you consider that the Trades and Labour Council has a series of seven committees, four of which are under the chairmanship of members of the Australian Communist Party. No fewer than 13 members of those seven committees are on the Queensland Central Executive of the Australian Labour Party. That, I believe, is one of the main reasons why it was imperative that some of the clauses in the Bill should be included. May I say in connection with the comment I made earlier, that I believe in general terms the members of the Australian Labour Party are in favour of the Bill. It is significant that the main ones to speak on it are the newer, inexperienced hon. members who undoubtedly feel that they had better say something about it or they might be asked some awkward questions. The more experienced members of the A.L.P. have spoken in general terms. In my opinion it indicates that in actual fact they welcome the Bill because they are just as genuine in their desire to combat the Communist control of trade unions as we are on this side of the House. They will have an opportunity to demonstrate whether they are genuine in that desire at a later stage of the Bill. Many clauses in the Bill are taken from the Act. Because I believe that hon. members opposite are genuine in their approach to the Communist problem I shall be very interested to hear their comments on those clauses of the Bill that are designed to place the control of unions in the hands of rank-and-file unionists.

**Mr. BROMLEY** (Norman) (3.1 p.m.): We have heard longwinded diatribes from the neo-Fascists of the Government benches in their efforts to ingratiate themselves with their Minister and boost his ego on the introduction of this Bill. It took the Minister a week to prepare his second-reading reply to the comments of Opposition speakers on its introduction. If the Minister's lifelong and sole ambition is to further the cause of Communism and sound the deathknell of the Liberal Party in Queensland he is now close to fulfilling it.

Hon. members on the Government side have said over and over again that members of the Australian Labour Party are connected with Communism or Communists. They well know that members of the Australian Labour Party, unlike members of other political parties throughout Australia, have to sign a pledge, which they do willingly, when they join their party. I have no doubt that that pledge has been read in this House before but, for the benefit of the new hon. members on the Government side, I shall read portion of it again. It reads—

> "I hereby declare that I am not a member of a Communist or Fascist Organisation or Party, or of any political party, or organised society or group having policies or aims opposed to the objective policy or platform of the Australian Labor Party."

In introducing the Bill the Minister said that 90 per cent. of it was taken from the existing Act introduced by Labour Governments. To quote a simile, one bad tomato in a case can affect the rest and some of the clauses in this Bill can turn the whole of it into something that is rotten.

The Bill was on the business paper prior to the cessation of the last Parliament, but the Government, in their desire to retain control of the Government benches, refused to bring it down. They knew that the unionists of the State would have given them their answer and that they would have been defeated at the polls. The Minister and other members of the Government Party apparently believe that the workers have short memories. I can assure them that at the next election they will be proved to be wrong. Anti-working class governments do not realise that there should be a good relationship between employers and employees, if the legislation brought down in the last three or four years is any criterion. It is of the highest importance that the relationship between employers and employees, those in industry and those directly supported by it, should be grounded upon considerations of mutual appreciation and genuine good will. That should be the basis for both Government employees and employees in private enterprise. The Minister should know, although at times he is too one-eyed to acknowledge it, that good conditions should prevail for both Government employees and employees of private enterprise. The Minister has set out to destroy the good relationship that existed between workers and employers. He has proved to be a good campaigner in this direction. We have evidence of his attitude in the form of anti-worker legislation introduced by the Government. Very few of the measures introduced by the Government have been of benefit to the workers.

The worker is entitled to a certain standard of living, and therefore he should have the right to make certain demands on employers in order to achieve that standard. He is entitled to demand a fair day's pay for a fair day's work. That has always been the maxim of the Australian worker, just as it has always been the maxim of the industrial movement. The Australian worker has a reputation both here and overseas for giving a fair day's work for a fair day's pay. Other hon. members have said that with the introduction of automation the output of manufactured goods per man and per man-hour

has increased considerably. Many overseas visitors have said that the output per man and per man-hour in Australia is in excess of the output of workers in other countries.

What are the things the workers are entitled to demand? Taking a long-range view, the first is that real wages should be increased, and by real wages I mean the purchasing power of wages, related to inflationary conditions. The second is that hours of work should be reduced and other conditions liberalised. I have dealt on other occasions with security of employment and the great advantages of it. Having regard to the real value of the basic wage, Sir Douglas Copland, a noted economist, is reported in yesterday's Brisbane "Telegraph" as saying that "the abandonment of cost-of-living adjustments in 1953 was an injustice to basic-wage earners." The article continues—

> " 'I cannot see how the economy would be injured if they were resumed,' he said."

He was referring to the quarterly adjustments of the Federal basic wage. The report goes on—

> "He was giving evidence before the Arbitration Commission in support of the unions' claim for an average increase of £2 9s. in the Federal basic wage.
>
> He produced a table, which showed that production per head of population had increased 18 per cent. since 1939.
>
> If the basic wage were increased in proportion to production it should now be worth £5 16s. 2d. in 1939 money terms, Sir Douglas said."

Hon. members therefore should realise that men of the calibre of Sir Douglas Copland hold the view that workers require real wages based on purchasing value.

I think I should mention the roles of employers and employees. I feel it has much to do with arbitration and conciliation, and therefore, indirectly and perhaps directly, it affects the Bill before the House. They are not only cast in the role of co-operators in industry, but they are also cast in the role of rivals who work together to produce and manufacture. They collaborate in the production of commodities and services, yet strangely enough, and I suppose it is not strange when we work it out and see the employers' attitude, and realise the needs of the workers, they compete in the sharing of the market proceeds of this joint output. The Government would be well advised to consider all those things when introducing any legislation concerning the workers, and in particular arbitration and conciliation. The employers, with the aid of this Government, representing big business, are doing their worst, to gain the greatest, by far, of the profits—and we know what profits they make—and the more profits they make, the more they want to make in the future. I believe that the workers are surely entitled to a greater percentage of the profits.

There appears to be a great deal of truth in this statement of Mr. Samuel Gompers, President of the American Federation of Labour in 1914. He said—

> "From my earliest understanding of the conditions that prevail in the industrial world I have been convinced and I have asserted that the economic interests of the employing class and those of the working class are not harmonious. That has been my position ever since—never changed in the slightest. There are times when, for temporary purposes, interests are reconcilable; but they are temporary only."

That emphasises my statement that we should consider better relations between employer and employee. On this better understanding, we must consider a concerted action by employers and employees. For their part, individual employers, without haggling over facts and figures, must be prepared to pay at levels and to observe conditions and incidents of employment, adjudged or appraised by authoritative action or collective bargaining to be fair and proper in the circumstances. They must also be convinced that any discipline imposed in the factory or workshop, is at the minimum consistent with the due control of a well-conducted establishment or business. More, however, than these bare concessions to justice and sound sense, and to the self-respect and self-esteem of the worker, is necessary, if the maximum of advantage from those concessions is to accrue to management. I believe that something like a change of heart, with an implication of repentance, or regret for past events, is required. The workers are still profoundly conscious of the hardships and wrongs that they themselves suffered in many cases—and, I think, most of us here in the House remember what we were called upon to suffer in the thirties—and their fathers and grandfathers suffered in those bygone days.

Perhaps I should return to some of the provisions of the Bill that really affect the workers. One takes away the limitation on the formation of groups of employers. I understand that that clause may be amended.

The Minister has announced that he will move 29 amendments. He has done so only because pressure has been brought to bear, not merely through representations from big business but mainly through the representations of the Australian Labour Party and the trade-union movement in conjunction with it.

In the Bill mention is made of what are termed temporary unions. I should like to ask the Minister through you, Mr. Speaker, if, in his view, that means the court will grant the right to certain people to form temporary unions or, to put it in another way, scab organisations?

**Mr. Morris:** Which one are you referring to?

**Mr. BROMLEY:** I think it is Clause 5 on page 13. Perhaps the Minister can indicate that to me now, or later when he replies.

**Mr. Ramsden:** What would a scab union be?

**Mr. BROMLEY:** To my way of thinking, and according to this clause, it could be a temporary union. The trade union has developed into a recognised national institution in Australia and we do not want to have set up any scab temporary organisation that could be a strike-breaking union. The trade-union movement has established its place as one of the key organs and central factors of the Australian corporate life, a way of life in this glorious country. As a collective spokesman for the workers, the union is an agency with which, and through which, employers can conveniently communicate and negotiate. And that brings in the system of conciliation and arbitration, particularly conciliation, with employers, trade unions and employees negotiating together. In point of fact, the trade union is more than that. It is a primary and integral constituent in the operation of industrial regulation by the courts in Australia. In fact, it is difficult to perceive how, without representative trade unions—and I do not mean temporary trade unions—this method of legalistic control could continue. Employers and this anti-worker, anti-union Government, would be wise, therefore, to give all reasonable support to the unions, and also to any amendments that may be moved by the Opposition, and to uphold the unions' authority, of course, and standing amongst the wage-earners, by refusing to have dealings with sections, or committees of employees, or any temporary union that may be set up under the Bill when it becomes law—with sections of employees that have no official connection with the union concerned and are not recognised by it. Despite the standover tactics of the Federal Government, and similar tactics by the Minister in Queensland, management in Australia has every cause to feel assured that the unions in general will conduct their affairs and comport themselves in a manner that is fitting and proper. There can be no argument about that because we have seen it happen in the past. Recognised unions have comported themselves with decorum.

We had a long dissertation from the hon. member for Mt. Gravatt on the formation of trade unions, but although trade unions were formed primarily for the protection and furtherance of the material interests of the workers, they also have in mind the interests of the country. That is not only my considered opinion but also the opinion of Mr. Foenander, the author of a book called "Better Employment Relations," who is an associate professor of commerce in the University of Melbourne. He says—

> "The unions will generally be found to have identified the interests of the union with the higher interests of the country."

We see also that various clauses and parts of the Bill violate Section 87 of the International Labour Office constitution and resolutions particularly in relation to the Industrial Court. The provisions in the Bill separate the judicial and arbitral powers. This splitting up of Court control will vest the arbitral powers in an arbitration commission and the members of that commission. Although the present set-up in Queensland may not at all times have operated to the satisfaction of everybody, this setting up of a court with penal powers to punish unions and their members, powers that probably will never be used against the employers, will not help one iota in promoting industrial peace. Members of the Australian Labour Party and the union movement are not asking for any special rights in the Bill, but we are asking for consideration for the workers in industry. It appears to me that there is no denying the widespread demand in the working-class movement for the removal from both Commonwealth and State Arbitration Acts of penal powers against unions and their members. The Australian Council of Trade Unions, which is the highest governing body of the Australian trade union movement and has unions with a membership of 1,500,000 affiliated with it, has time and time again called for the repeal of these penal powers. We see where the existence of the penal powers and the use of them by the employers has cost the working people millions of pounds. The cost to the workers must be reckoned up in the loss of basic wage and margins, because the employers refuse to negotiate on these claims and resort to the use of penal powers when the workers take action in support of their just demands. We know that in the Industrial Court workers make applications and in many instances have to wait for a long time before their cases are heard. When they endeavour to make any protest about the long delays, the Government and the employers declare that there could be a dispute or an illegal strike.

I should like now to deal briefly with conciliation, which is, of course, one of the most important provisions in any Bill dealing with industrial conciliation and arbitration. After reading this Bill, I should like to know where the principle of conciliation is contained in the Bill. The present Act clearly allows the court to hear union claims even though a dispute is in progress. I say that there should be equal rights in the Bill. Employers are free to seek the maximum profits from their enterprises. There is no exercising of powers to prevent monopolism and excessive profits from price-rigging rackets. They have full and complete rights to hire and fire workers at will.

Another example is that they have the right to withhold their commodities from the market without being subject to penalties in any way. Of course, when the worker withholds his labour, he is victimised and the penal powers are invoked to a great extent. One glaring example of big business withholding their commodity was the action of the big oil monopolies in refusing to supply oil to Queensland.

**Mr. SPEAKER:** Order! I cannot see what that has to do with the Bill before the House.

**Mr. BROMLEY:** I point out that I was making a comparison between the worker who should have the right to withdraw his labour and the employer who has the right to withdraw his supply. The principle of conciliation is covered to a certain extent in Clause 8 of the Bill. I was merely trying to make a brief comparison. I should like to complete the point I was making by saying that the Labour Government of the time would not grant a price increase, so the oil company refused to supply their commodity. They used standover methods. When the worker refuses to supply his labour he is victimised. I cannot see that in any conciliation Act there is a place for provisions imposing penalties and terms of imprisonment on union officials for carrying out the fundamental requirements of their positions. Previous speakers have pointed out that union officials have to carry out the jobs they are elected to do. If they do not carry them out the rank and file do not elect them at the next election. The clause I am referring to is an abrogation of Section 87 of the International Labour Organisation.

Clause 51 interferes with trade unions. Obviously it allows the Minister to interfere politically with the control of trade unions, authorising public money to be spent to destroy any or a particular union. Probably it is aimed specifically at particular trade union officials. It is essential that the industrial law should be administered in a manner totally free from political interference or group pressure of any kind. A union should have equal freedom to control its own affairs. Even since the Government assumed office they have been assiduously attempting to interfere with and undermine the local rules of unions. The unions consider that they should be allowed to conduct their own affairs without any interference from the Government. It is obvious from the recent alterations in Commonwealth arbitration and industrial law, and now this Bill, that the legislators in Australia are being over-zealous in the alteration and administration of industrial law. Amendments always will be desirable and even necessary, but Clause 51 is completely unnecessary and savours of typical Tory Fascism. Conditions change and new development takes place, but it is completely impossible to defend or excuse a change in legislation unless the proposal on which it is based has been afforded the most ample examination and closest scrutiny. In all fairness I do not think anybody could say that the Bill has received such examination and scrutiny. It could not receive that scrutiny until members of the Australian Labour Party have dealt with the various clauses that, to our way of thinking, are not conducive to good relationship between employers and employees. Had this Bill received proper scrutiny and examination by members of the Government parties we would not have seen so many amendments brought down, as I said before, possibly because the union movement and the Australian Labour Party have forced the Government to bring them down. There is no justification for a grant such as is suggested in this clause. Nothing can be worse or more abominable than change that is ill-considered and hasty, a novelty lightly entered upon and sometimes, as in this case, originating in political caprice or inspired by sheer malice and ministerial and political expediency.

I should like now to deal with a particular clause that to my way of thinking is one of the worst in the Bill. It apparently deprives a union official, or delegate of any rights and completely negatives the idea of true British justice. Under it an employee would and could not attempt to protest at any injustice or breach of rules on the employer's part. Surely the employer should be made to recognise his place in the maintenance of industrial peace. Responsibility for the maintenance of the country's industrial peace, in present-day circumstances, is threefold. It rests on the industrial tribunals, on employers and employees, and on the community in general. There is an obligation on employers and on employees, both individually and collectively and on organised employers and employees by joint action, to endeavour to avert industrial difficulty and trouble in every way conceivable. This is a one-way clause only.

**Mr. DEPUTY SPEAKER:** Order! The hon. member is anticipating the Committee stage when he refers to a particular clause. We are dealing with the principles of this Bill, not the specific clauses.

**Mr. BROMLEY:** I see I have transgressed there. I did actually refer to the particular principle in the clause.

Once an award or determination has been found necessary and is made it should be uncompromisingly respected and honoured by all concerned, and every obstruction to it genuinely repudiated and denounced. Some firms will not provide amenities to which the workers are entitled under an award—such as change rooms, wash basins, &c.,—yet under this section a union delegate cannot protest for fear of being dismissed. Surely workers have a moral right as well as a lawful one to receive these amenities. Would the Minister deny delegates the right to organise for better conditions? I am sure he would. He would deny the worker his

inherent right to the four freedoms, inherent rights to which he is justly entitled under the Charter of Human Rights. The clause is taken from the Commonwealth Act and it is too repressive.

**Mr. SPEAKER:** Order! I ask the hon. member to refrain from dealing with the clauses of the Bill. He must deal with the principles. Every time he refers to a clause he is doing something that he can do in Committee.

**Mr. BROMLEY:** The clause denies an official of a union the right to express his opinion on whether a particular employer would be a good employer to work for. A delegate would not even have the right to express his views to workers who may consider working for a particular firm. If he spoke against a particular firm he could be penalised according to that principle of the Bill.

I reserve my further comments until the Committee stage.

**Mr. MELLOY** (Nudgee) (3.36 p.m.): The Minister, and the Government through him are giving only lip service to the fight against Communism in Australia. The Minister claimed that the Bill would help to eliminate Communist influence from trade unions. It will do nothing of the kind. Nothing in the Bill will alter the election of union officers or the right of individual union members to elect their officers.

The Act already provides for secret ballots. If union members are dissatisfied with ballots, they have recourse under the Act to the court for the holding of a court-controlled ballot. Even with the holding of a court-controlled ballot, the position is still the same. Members of unions still have the right to elect to office any person who is eligible for election, whether he is a Communist, a Socialist, a member of the Australian Labour Party, or for that matter a supporter of the Liberal Party.

The Minister has expressed great concern about the great masses of workers and their control of unions. That is a matter for the members of the unions themselves. They have a right to elect the men they want as officers of their unions, and the Bill does not change that position. The Minister expressed concern for the workers on the ground that there are some persons who would disrupt union affairs. If such persons are as numerous as the Minister claims, why do not union members do something about it when union elections are held? Only about 40 per cent. of union members vote in union ballots. The figures for State and Federal elections reveal that about 40 to 45 per cent. of workers do not vote for the Australian Labour Party, and only about .5 per cent. of those who do not vote for the Australian Labour Party vote for Communists. We can only conclude that 30 per cent. of workers, as a conservative estimate, are Liberal supporters. If they with Mr. Morris are so concerned about the influence of Communists in their unions why are they not voting in union elections? They cannot be voting otherwise we would have more than 40 per cent. of unionists voting. If the Minister is concerned, why does he not organise Liberal party members in Unions?

If the Minister is so concerned about the influence of Communism, why does he not get many of his Liberal Party members—who are members of the unions—to remove from office the Communists in the various unions? The Minister and the Government are not concerned with destroying Communism. When we consider that there are approximately 50 unions in the State and that only three of them are controlled by Communists, in the high offices, we can assume only that the Minister and his Government are putting the boot into the ordinary workers by this legislation, and by the vicious penalties included in it, under the cloak of attacking the Communists in trade unions. In attacking one Communist in the trade union movement the Minister is attacking 200 genuine labourers and workers. That is the Minister's purpose in re-framing the Act. It is not so much an attack on Communists who, after all, represent a very small minority in the country, rather is it an attack on the workers as a whole and an attempt to subjugate them.

The Minister stated yesterday that I had criticised the court during the introductory stages of the Bill. I did not criticise the court; I criticised certain aspects of it, and particularly the delays that have occurred. Those delays were very ably illustrated by the hon. member for Salisbury who stated that the Electrical Trades Union suffered a delay of two years and three months before a final decision was brought down by the court. That is what I am criticising about the court. We, on this side, feel that the court as at present constituted, has ample authority to deal with any industrial situation that may arise in the State. However, that is not the object of the Bill. The object of this Bill is to intimidate union officials in Queensland. This is done by increasing penalties, in some instances, threefold, on union officials and members. I am sure that if the members of a union and the officials of a union feel that their case is unjust a fine of £50 will make them hesitate and think twice before they take any action. However, if they believe and know that their case is just, a fine of £1,000 will not stop them, and that is what the Bill attempts to do. It is an attempt to intimidate the unions and their members.

The Minister stated that he had full confidence in the Court as at present constituted but he now takes action to dispense with that Court and to set up commissioners and a court as set out in the Bill. That does not indicate that the Minister has much confidence in it when he cuts out that legislation.

The Minister claimed that he was cleaning up the Act and he referred to my statement about the £1,000 penalty. If he is so intent

upon cleaning up the Act, he should look very carefully at that. If he had been concerned with the good government of unions and with industrial peace, he should have contributed to that peace by reducing the penalty.

Various parts of the Bill are undesirable. One is the provision for employees to take their holidays before they are due. That is a two-headed penny because the Minister cannot lose. It will work in favour of the employers. It provides that the employee can take his holiday at the end of six months if necessary, and it can be made necessary if the employer says to him, "Things are bad. It would be a good idea if you took a week of your holidays now." Of course, the employee could protest that he did not want to. In that case, the employer could stand over him and say, "Very well, business is not too good now. I think I will have to dispense with your services." In that way the new provision can react to the detriment of the employee, and I think that is the purpose of it. The object of holidays is to give the employee sufficient time to recuperate from 12 months of toil and to prepare himself for another 12 months' solid work, but, if he is off for only one week, the value and purpose of annual holidays is entirely lost. So the object of the provision is to assist the employer when he thinks business is not all it should be and wishes more or less to stand the employee down.

The Bill makes provision for dividing the State into districts, one reason being for the holding of ballots on disturbances. This is one way in which the Bill will restrict the activities of unions. If one of the large unions, such as the A.R.U., has a disturbance or dispute in a particular area, it will be possible to use the provision to restrict the dispute to that division. The union might find it desirable to call out all its members in Queensland but it will be unable to do so because of the division into districts. If the union attempts to take the dispute outside the district, it becomes liable to the heavy penalties provided. I am very suspicious of the provision.

Another clause provides that certain "secret" information—documents and figures on profits—shall not be available to unions or to any parties without the consent of the Court. That conflicts with a section in the Act relating to applications to the Court for equal pay. That section states that equal pay may be granted to both sexes if they do an equal amount of work, or like work, or do similar acts of work, or if they return a similar amount of profit to the employer. If figures showing profits are not available to the parties in the Court, it will be almost impossible for union advocates to prove that female employees are returning an amount of profit equal to that returned by male employees in the particular industry. The Bill will restrict the unions in that way, although the Minister says it will not.

Dealing with legal representation, I understand that the Minister has consented to withdraw a clause relating to the appearance of legal representatives in the court. He also stated that the parties would have the right to brief counsel if they both agreed. I think the Minister is throwing a sprat to catch a mackerel there, because the clause still contains the provision that parties may be legally represented at the court or before the commission with the consent of all parties or by leave of the court. The provision says that there may be legal representation "with the consent of all parties or"—not "and"—"by leave of the court." That means that if any party to a dispute said that he desired to have legal representation, the court could grant him leave to engage it. Despite the elimination of one of the subclauses of the Bill, it is still open to the parties to any dispute to obtain legal representation.

I know that we are restricted in speaking on the second reading of a Bill, and as I have now reached the stage where I would desire to speak on clauses, I propose to reserve further comment until the Bill is dealt with in committee.

**Mr. HOUSTON** (Bulimba) (3.59 p.m.): There are one or two things that I wish to add to the remarks of previous speakers, but before doing so I should like to reply briefly to some of the statements made by hon. members opposite.

We expected Government members to speak in support of the Mniister on this occasion, because when the Government bring down new legislation or amend existing Acts, they should do so with the full knowledge of all members of the Government parties. We were not surprised, therefore, to hear hon. members opposite speak, and we welcome their contributions to the debate. It is to be regretted that they have not used the same privilege on other occasions when important Bills have been before the House.

The hon. member for Wavell said that this was not a Bill on which one could speak on the second reading. That shows his complete lack of knowledge of the Bill. After all, the Bill is like all Bills—it is divided into various clauses. To understand it completely you have to know the relativity between the clauses and work out how one clause fits in with another. If that is not watched very carefully you can get a contradictory meaning from a clause by not studying the factors that affect the various clauses. For instance, definitions are proided in the early part of the Bill whereas later on the powers of the Industrial Court and the Commission are given. If you talk about a particular clause on its own you cannot speak about the Bill as a whole. You cannot say what you want to say about one clause without making reference to other clauses. As the hon. member for Wavell proceeded it was obvious why he rose on this occasion. I cannot find words strong

enough to condemn his action in using this House and Commonwealth "Hansard" as a means of violently attacking members of the Trade Union Movement. Surely this Parliament should not be used for that purpose. It would have been bad enough had he expressed his own thoughts, but it was far worse to quote from a speech made by Mr. Bruce Wight, who is well known throughout Australia as a man closely allied to McCarthyism of America.

The hon. member for Somerset congratulated the Minister. As one of the leading lights in the Country Party that was to be expected of him. But he did not speak to give the Assembly any of his thoughts about the matter. Indeed, he read from a prepared brief refusing to answer relevant questions that were asked of him.

Last, but not least, I want to refer to the hon. member for Merthyr who tried to convey that the leaders of the Trade Union Movement were no better than the criminals we were considering in a previous debate. He referred to the suggestions of the hon. members on this side to increase the penalties for kidnapping and the like. He contrasted that with our opposition to the imposition of increased penalties on trade unionists for breaking industrial law. By no stretch of the imagination could a comparison be made between the criminal who kidnaps or commits any other offence under the Criminal Code with the trade union official—or employer, for that matter—who breaks an industrial law. Speeches like that do not encourage industrialists and unionists to work in close harmony together.

The Minister attempted to seek glory for the number of amendments that he foreshadowed during his second reading speech. I believe that some of these amendments may be necessary. I shall deal with them in greater detail in Committee, but it seems to me a great pity that the Minister did not use all the information available to him prior to bringing down this legislation in the first place.

There have been occasions when Ministers in this and other Parliaments have seen fit to obtain the best information possible from all sections of the community when considering amendments to legislation. In this case, it is not only an amendment of legislation but completely new legislation.

Our leader stressed that the Minister should have set up a committee to assist him, including on it not only men of his own department, but men from the trade union movement and the employers' organisations. I hope he will do that in future when it becomes necessary again to amend this legislation. He will then put legislation before the House that will stand the test of debate and time.

Over the last few years much legislation has been introduced in this Chamber that has had to be amended within 12 months. I am not criticising the Government for amending it when it is found to be ineffective or wrong but, if it had received full consideration before being first introduced, these amendments would not be necessary. Unfortunately, I am afraid that in this case the legislation will have to come back to Parliament in a very short time and once again be amended because the courts will not be able to carry out their functions as the Minister desires.

It will be seen, when the Committee stage is reached, that the legislation will not allow the court to function in the way in which the Minister hopes. One of the main principles of the Bill is the setting up of two industrial authorities, one being an industrial court of one judge. Acting alone, I believe he will be more likely to make errors of judgment than would be the case if more than one person was dealing with the matter. I am not saying that in any way to detract from the sincerity and honesty of the man who will fill the position.

If the Minister believed it was necessary to introduce the idea of commissioners he could have done so quite sensibly by just extending the personnel of the present court from a president and three members to a president and five members, each one being a specialist in his own field. One member could be well versed in the problems associated with the engineering trades, shipbuilding, and the like. Another could be conversant with the problems of the building industry, the timber industry and the like. A third could be conversant with the seasonal industries, such as meat works and sugar mills. Those would be the meat works and sugar mills where there is no continuity of employment and where the amount of work available depends to a great extent on the seasons. The fourth person should be a person conversant with the problems of rural industries, and the fifth, last but not least, a person conversant with.the professions Those men individually could proceed along the lines suggested by the Minister, but collectively they could determine matters affecting the State as a whole. A judge then could take his proper place in the pattern of things, and he with two other members could constitute the tribunal that would consider legal matters as well as matters affecting not one industry but a combination of industries.

The Minister has said that many of the penal clauses were in the existing legislation. That is not denied, but the trade union movement is of the opinion that the alteration in constitution of the industrial tribunal, the Industrial Court and the Industrial Conciliation and Arbitration Commission, will mean a more drastic and more frequent application of the punitive powers. The Minister may be able to give the reason, but, if that was not the purpose of the alteration, why appoint a judge of the Supreme Court, with high qualifications, as a court that will deal primarily with penalties imposed on trade

union leaders and trade unionists by commissioners and industrial magistrates? If it was not thought that the Industrial Court would be required to deal with those matters on many occasions, why was it necessary to create a separate authority? That is why the trade union movement and A.L.P. members fear the retention of these penalties and the increases in the penalties. The penalty clauses have only been applied on one occasion in the last decade, that is, during the shearers' strike, and a peculiar set of circumstances applied at that time. The Government have on many occasions, particularly during the last 12 months, wanted to put those clauses into effect, but they found they did not have the overall power to do so. The legislation will allow the Government through their representatives in court to ask that the penal provisions be invoked.

The Government contemplate, according to the Minister, that the legislation and the machinery provided by it will reduce the number of industrial disputes. It will not do so because it does not tackle the primary cause of industrial disputes, particularly those that have occurred in the last few months.

As I said at the introductory stage, and I do not retract my statement, much of the industrial trouble today arises through the difference in income of those on salaries and those on wages and fixed incomes. In my opinion that is the fundamental cause of most of the industrial trouble today. The workers in many industries, particularly the metal trades and building industries are on their toes. They are discontented and an industrial dispute arises if an employer merely does something that is slightly outside the award. Under normal conditions the workers would not greatly object to it, although they would report it to the union and endeavour to have it rectified. They would not, however, go to the extent of an industrial strike. All these things added together have the workers in such a state today that they believe the taking away of any privilege from them, or any right that they have had over the years, is a major catastrophe. They do not know where they are going in relation to wages and conditions.

I believe that one part of the Bill taken from the existing legislation should be looked into very closely by the commissioners, and the court, to see if it can be put into effect, so that justice may be given to those who work in industry, or in the various occupations that are normally covered by the term "employee." I refer to the clause dealing with the basic wage. We find it is exactly the same as it was previously, and, from memory, the wording is something like this: that the basic wage rate will be a wage which allows a man, his wife, and three children to live in a fair and average standard of comfort. It is significant, when we look at the Commonwealth Statistician's report, that we find that the average wage in Australia today is £23 15s. a week. That is not the highest or the lowest, but an average. In New South Wales the average is £25 2s. a week, and in Queensland it is £21 14s. a week. I believe that is part of the basis of our industrial trouble today. The people believe that they are not getting a fair wage for their labour. When we consider that the Court in Queensland has followed the cost of living for many years, and we now have £14 a week as the basic wage, and an average wage of £21 14s., the basic wage cannot be regarded as giving a fair and average standard of comfort. I suggest, as strongly as I can, that the Court members should read that clause very carefully, and bring down judgments that are in conformity with it. If the workers of the State believe they are receiving wages that are just, that will do away with many of our industrial troubles.

The Minister told us that the legislation will allow the rank and file to strike. I refer to the opening part of my speech. We cannot look at this legislation clause by clause. We must take it overall. When we are considering this point we must realise that the legislation lays down that a secret ballot is to be taken of members on a project, and then a secret ballot is to be taken in a district defined by the commissioner, and if the ballot on the project, and the ballot in the district is in favour of a strike, then it is not an unauthorised strike. That is the provision in one clause of the Bill. I will refer to that in greater detail. The Minister has stated that one of the objects of the legislation is to endeavour, first of all, to avoid strikes, and secondly, if industrial trouble develops, to isolate it. How can we isolate something if we say, "Not only have those who are associated with a dispute to vote, but also all those in that particular district?" In other words, you immediately extend the strike. Knowing unionists as I do, I can assure the House that if there is trouble in one place and others are forced to decide whether they support it, they will certainly support those having the trouble. However, if they are not forced to give a decision, they will be content to let matters sort themselves out. Take, for example, a case of trouble in a sugar mill at the height of the harvest. Some local trouble develops and the union, trying to do the right thing, holds a ballot. Immediately, a ballot has to be held in other mills in the area if they are included in the declared district. Is not that extending the trouble? The Minister may say that the commission could declare only that mill area as a district. In case that is his reply, I refer him to the meatworks in my own electorate. We have two meatworks side by side. You would have to run down a border fence between them to decide which district each was in. If you did not watch yourself, you would bring in the third as well. If there is a dispute at Borthwicks, why extend it to the abattoirs, and vice versa? On that matter, I think the Bill was not considered completely or from all angles.

Let us look at the other side. So far I have given the Minister credit and accepted the fact that the strike ballot will take place. Another part of the Bill says that immediately an industrial dispute is contemplated, immediately it is thought that industrial trouble will develop at a place, the commissioner can step in and try to conciliate or to arbitrate. Immediately he steps in, how can a ballot be conducted? After all, if a secret ballot is to be conducted, someone has to arrange for it; someone has to write out what will appear on the ballot paper and someone has to arrange for the distribution and collection of the ballot papers.

Another part of the Bill says that any person who tries to encourage a strike or industrial trouble can be dealt with under the clause dealing with penalties. How can the Bill work when one part of it tells a man he can do something while other clauses provide that, if he starts to organise a move, no matter how honest the organisation is or is intended to be, he is breaking another rule? So the legislation does not give workers the right to strike if the court does not desire them to have the right. I do not say they would not have the right if the court let them. Over the years we have found that it is only on very rare occasions that such a provision as this, where it becomes so complicated, will ever be successful.

The Minister said that bonus payments were a matter for the employer and employee. It is true that if an employer finds that his business is running down and he is not making the profit that he would like to make, he immediately dispenses with some of his employees. No-one can deny him the right to stop his business from going broke—that is quite normal and logical—and he has the right to pay off those whom he thinks are the least productive to him, as long as he takes into account length of service and a few other factors, which I think are human factors that should be considered. By the same token, when his business is flourishing, are not his employees, who helped to make his profits, entitled to participate in some of the extra profits? If the profits are down, they suffer by losing their jobs and their income. I believe that when profits are high they are entitled to an increased income. It is no good talking of the employer and the employee coming to a mutual arrangement, because in the majority of cases that is not arrived at. Only recently there was a difference of opinion in the Mt. Isa case, and in the Mary Kathleen case the Industrial Court granted an increase and the company immediately put up the cost of board and meals. They used other methods of getting square. If the boss has the right, as he should have, to dispense with the services of men when he is not doing well, he should pass on some of his profits when he is doing well, and the Court should decide just how much should be passed on. I would like to believe that employers and employees could reach agreement amicably; but, knowing the industrial world as I do, I believe that it is not possible in practice for all employers and employees to come together. We know the feeling that the Minister has about one of the trade union leaders. He has said on many occasions that he will not have that official in his room. I think it would be true to say that employers would hold similar opinions of certain executive officers of unions. The Minister's attitude may be right or it may be wrong, but if union officials and employers refuse to speak to one another, how can they negotiate?

I fear this legislation simply because I believe that the Minister is seeking industrial peace by means of the penalty clauses. Similar legislation has been introduced in other parts of the world, but industrial peace has not been obtained by such means. I will reserve further comment till the Committee stages.

**Mr. KNOX** (Nundah) (4.23 p.m.): The hon. member who has just resumed his seat chided Government members for not speaking. I assure him that we were anxious to hear speakers from the Opposition side of the House and that we have plenty of speakers on this side if it is desired to keep the debate alive.

**Mr. Davies:** We will go on till midnight, if that is what you want.

**Mr. KNOX:** I am not particularly concerned about how long the debate lasts, but I think the hon. member for Bulimba was deliberately unfair in chiding hon. members on this side of the House for not having spoken on two occasions when opportunities arose. No doubt he is well acquainted with the reasons for that.

I think it is to be recognised that the measure now before the House is a personal triumph for the Minister for Labour and Industry, who introduced it. Firstly, a great deal of preparation has gone into the Bill—nearly 18 months to two years of fairly solid work by the Minister and his officers and committees that have assisted them—and, secondly, the Minister has demonstrated his ability to present the Bill and make a comparison of the provisions contained in it with the provisions contained in the existing legislation.

At the introductory stage, we were very disappointed to find that hon. members opposite obviously did not know very much about the present Act; in fact, they confused their terms on many occasions. We even heard them referring to trade unions as though this legislation applied only to industrial unions of employees. Of course, it is quite patent that when we speak of unions in legislation of this type we are talking of unions of employees and unions of employers, and this is defined in the Bill and in the Act.

The hon. member for Belmont spoke very vehemently against bonuses. He suggested that any union executive that claimed a bonus was not in effect worth its salt. It is a contradiction of some of the other claims made by other members of his party.

**Mr. Newton:** There are two different systems of bonuses. I explained that this morning.

**Mr. KNOX:** The hon. member tried to wriggle his way out of it. He was most unconvincing.

The Minister's next triumph was in seeking the delay of the second reading of the Bill so that all hon. members and others who were interested could submit amendments to him. Those who were most vociferous about the need to delay the legislation were the unions affiliated with the Trades and Labour Council. But the Trades and Labour Council was singularly absent in making any further approaches after having asked for the delay.

The next triumph for the Minister was the failure of the strike called by the Trades and Labour Council in protest against the legislation. The maximum number that went on strike for four hours was 4,000 members. Many more thousands preferred to remain at work and not to obey the autocratic decision of union bosses.

When the president of the Trades and Labour Council, a man who sits on the Queensland Central Executive of the Labour Party—a member of the inner executive of the Australian Labour Party—appeared on television last Sunday night he provided many more opportunities for us to show the weakness in Labour's ranks on this legislation. He said in positive terms that he was against compulsory arbitration. He described the Australian Workers' Union as a union of debt collectors. He described the Bill as a hanging Bill. As he waved the Bill above his head, he said, "We demand the withdrawal of this legislation. We will ask the Labour Party to have it withdrawn." Yet when the Bill came before Parliament for its second reading the Leader of the Opposition said that the Opposition had decided not to oppose the second reading, even though their bosses on the Q.C.E. proclaimed only a week ago that they wanted the whole legislation withdrawn because it was anti-working-class legislation.

The Leader of the Opposition made a personal attack on me and said that I would reveal the contents of dossiers when I got up to speak. He said that he would be disappointed if I did not use dossiers. I am going to disappoint him because I have no intention, and never had intended, to use dossiers about anybody and their affiliations. I admire the stand of the Leader of the Opposition against those people in his own party who are trying to sell out cheaply to those who control the Trades and Labour Council. Although he is genuine in his desire to have them excluded from the control of his organisation, he cannot succeed because, although he is vice-president of the Q.C.E. of his party, he is in effect a prisoner of Left Wing controlled unions. He cannot move without first consulting them. I realise the difficult position in which he finds himself. Indeed, the Communist desire is to smash the A.L.P. and the executive of that organisation, and to smash the arbitration machinery of this country and of this State. That policy has been enunciated on many occasions, and the president of the Trades and Labour Council, a very important and senior member of the Australian Labour Party, has reiterated that statement from time to time. Who is guiding the Opposition in their attitude towards arbitration? Who are the principal figures guiding the Opposition in this regard? On 20 February last year the Queensland Central Executive decided to appoint an industrial advisory committee to advise the Parliamentary Labour Party on industrial matters because it was felt that members of the Labour Party in this House were too distant from industrial conditions and were not alive to the growing day-to-day problems of the trade union movement and needed some advice. As I say, that was done on a decision of the Q.C.E.

**Mr. Davies:** Who expressed that opinion?

**Mr. KNOX:** That was expressed by the President of the Queensland Central Executive on 20 February, 1960. The three people appointed to that Committee by the Q.C.E. were Mr. Arch Dawson, Secretary of the Electrical Trades Union who very soon after his appointment did an extensive tour of Red China; Mr. H. F. Newton, at that time organiser for the Carpenters' Union and now a member of this Assembly.

**Mr. Davies:** Is he a Communist?

**Mr. KNOX:** I did not say he was and I did not suggest that Mr. A. H. Dawson was either. The Chairman of that group of three appointed by the Q.C.E. to advise the Parliamentary Labour Party on industrial matters because they were too far away from the trade union movement of today was none other than Mr. John Egerton, Secretary of the Boilermakers' Union and a member of the Inner Executive of the Q.C.E. Those are the three people appointed by their party to advise them on their attitude to industrial matters and arbitration but what is Mr. Egerton's view on arbitration? Those hon. members who did not see the television on Sunday night are now claiming that he has other views. When he returned from Red China last year Mr. Egerton said—this is on 17 August last year—

> "The arbitration system caused more disputes than it settled or prevented."

That was his statement. On the same day, Mr. Williams, Secretary of the A.W.U. said—

> "If arbitration had not been attempted and was being relegated, then those people relegating it should stand trial, not arbitration."

That was the view of the leader of the biggest union in this State, Mr. Edgar Williams.

Now, I want to get on to a very important part of this legislation referring to victimisation of trade unionists, which, of course, is to be found in Clauses 75 to 80 of the Bill. Considerable trouble was taken in the drafting of the Bill so as to prevent the victimisation of any one in a trade union who might seek a secret ballot or take part in any petition for a secret ballot in connection with any trade union.

The Leader of the Opposition made a categorical statement the other day that he knew of no applications for secret ballots in this State. That indicates how far away from the trade union movement he is.

**Mr. Hanlon:** No successful applications.

**Mr. KNOX:** He made no such statement at all. He also said there had been no cases of victimisation. Let me deal with that. In regard to Case No. 1, here is a photostat copy of a letter written by the district secretary to shop stewards of the Amalgamated Engineering Union on 3 November last year. It came from Room 34, Trades Hall, Brisbane, and reads—

> "The District Committee have received information that petition lists are circulating in the Brisbane district for court-controlled ballot for Commonwealth Council man Division No. 1. We have been fortunate in obtaining a petition list and the information is of great value. We now urge you to alert your members to this outrageous interference in our union's affairs and further request them to take these measures if approached.
>
> 1. Members to seek name of person 'pedalling' petition.
>
> 2. Ask what Union they belong to and what authority they carry.
>
> 3. Attempt to get car number, if any, and any other information they can gather. Also, if possible, impound the petition."
>
> We urge you to treat this matter as serious and request you to assist your District Committee to fight this obnoxious attack on our Union rights and freedom. This is a flagrant attempt to wrest the democratic rights and privileges that have been passed down for over a hundred years from the members.
>
> You are instructed to hold job meetings to advise your members of the urgency of the situation.
>
> This is your business Brothers.
>
> With all good wishes.
>
> Yours fraternally,
>
> H. GILLMAN,
>
> District Secretary."

I table that document because I think it is of public interest and should be kept in the records of this House.

(Whereupon the hon. member laid the document on the table.)

That was a deliberate attempt by the union executive to victimise union members who were going about their lawful union business.

The second case is that of the Carpenters' Union, the secretary of which is Mr. Dawson, a friend of the hon. member for Belmont—Mr. Gerry Dawson, a Communist. Mr. L. Evans of the Carpenters' Union went round getting names for a petition for a court-controlled ballot. He could not get enough names. Not only was he not able to get enough names, but he was trailed in his car by officials of the union and his wife and family were subjected to abuse and victimisation. They approached his employer to see if they could get him dismissed from his job. All these matters are public information and well-known to hon. members opposite. They are so blind that they would say there has never been any case of victimisation.

The third case is that of the Hospital Employees' Union. A ballot was held in September, 1960. Nominations were called in the daily Press for applicants to contest the secretaryship. The union rule requires neither hospital employees' union membership, nor any specified industrial knowledge or experience. Two candidates submitted nominations, Mr. Lokhurst, a salesman, not a member of the union, and Mr. Holmes, who is a member of the Hospital Employees' Union or a member of the Goodna Mental Hospital branch. The two nominations were considered by the State committee of management of the Hospital Employees' Union and both were rejected. Lokhurst was informed by letter that his nomination had been considered by the State committee and rejected. No reasons were given. Holmes received an almost identical letter rejecting his nomination. However, at a subsequent meeting of the Goodna branch of the Hospital Employees' Union he asked for reasons for his rejection and he was advised by the branch delegate to the State committee of that union that prior to his nomination being rejected, three points were discussed—

> (1) Has Holmes held any official position in his branch?
>
> (2) What is the extent of his activity in the branch and at branch meetings?
>
> (3) Has he ever done anything not in line with trade union principles and practices?

No answer was given to Holmes as to the outcome of those questions, nor was he invited to be present during the discussion. The State committee had no constitutional right to raise these questions in its consideration of any nomination for branch secretaryship because the conduct of a union ballot should be in the hands of the returning

officer who should conduct the ballot according to union rules. The rules covering qualifications for the position of secretary only require that an applicant shall have clerical qualifications. The rule does not specify the clerical qualifications required.

**Mr. Thackeray** Where does this come from—your security police?

**Mr. KNOX:** These are notes I made on the particular case.

As a result of the case there is in existence at this moment an application to the Industrial Registrar for an investigation of the rejection of the nomination.

Clause 49 of the Bill refers particularly to rules of the union and states that any rules that are tyrannical or harsh must be excluded. Let me quote some of the rules of the Operative Painters' and Decorators' Union. That is the union with which the hon. member for Belmont has some association, I understand. Some of the rules of that union may be of interest to hon. members. I will quote some of them—

> "Any member of the Union knowing of a breach of the Award or agreement, and failing to notify the Secretary of such breach within twenty-four (24) hours shall be fined not more than One Pound (£1).
>
> Any member notifying a non-member of work available in the trade shall be fined Seven Pounds (£7).
>
> All members out of employment are entitled to register their names in the Unemployed Book; and financial members so registered shall be placed in employment by the Secretary as directed by resolution of the Union.
>
> Members changing their address shall inform the Secretary in writing within fourteen (14) days thereof, and in default of so doing shall be fined Two Shillings and Six Pence (2s. 6d.)."

We have all these peculiar little rules so that they may keep trace of their members throughout the country and also to make sure that nobody can join a union without his having been thoroughly investigated.

Let me take this a little further and refer to a case in the railways. I have concrete proof concerning a railway employee who was a law-abiding person who presented himself for work in Queensland on a day that had been set aside by his union for a four-hour stoppage.

**Mr. Graham:** He would be a scab.

**Mr. KNOX:** The hon. member describes him as a scab. He is a law-abiding citizen. Because he presented himself for work, he was fined by his union an amount equal to the four hours' pay that he earned while working for the Railway Department.

**Mr. Graham:** He was lucky.

**Mr. KNOX:** Is that correct? Does the hon. member agree with that?

**Mr. Graham:** If you read the definition, he would be called a scab.

**Mr. KNOX:** Some hon. members in the Opposition agree with that principle. He was fined for refusing to carry out a union decision which was a breach of the law. When he refused the demand made by the union, he was advised by a letter signed by the union secretary, that by a union decision he would be classed as unfinancial until he made payment of the fine. When the matter was brought to the notice of the Minister for Transport he immediately took the matter up with the appropriate authorities, and further action is pending.

I have here a further indication of a repressive and harsh rule which may be of interest to hon. members. On 19 February, 1957, this circular was sent to all members of the Operative Painters' and Decorators' Union of Australia, signed by E. J. Hanson, the branch secretary. They were summoned to a special meeting of the union and the item on the agenda was the consideration of a recommendation from the executive that a levy of £1 be struck on all members for the purpose of building the fighting fund. That went out on 19 February, 1957, and on 12 November of that year, this circular was sent out to all members of the same union signed by Mr. E. J. Hanson—

> "Dear Comrade,
>
> In March, 1957, the Members at special meetings held in Brisbane . . ."

and other sub-branches,

> ". . . decided to strike a levy of £1 on all members to build the Union Fighting Fund.
>
> The main purpose of the Levy was to assist to develop the campaign for higher wages and better conditions but the change in the political position by the split in the Labour Party and the campaign around the State Elections, forced a change in Union activity.
>
> Based on a decision of the May Quarterly Meeting of the Queensland Branch, the Union worked for the election of an A.L.P. Government and expended some hundreds of pounds for this purpose.
>
> After that the Executive recommended that the Levy be reduced from £1 to 10s., this recommendation being endorsed almost unanimously at special meetings of the Queensland Branch and all Sub-Branches (except Townsville which Sub-Branch declined to call a meeting to permit its members to vote on the proposal).
>
> "The method of adjusting the Levy will be:—
>
> Where the Levy has been paid, the adjustment will take place with the payment of dues for the half-year ending May, 1958;
>
> Where the Levy has not been paid, the reduction will take place with the next payment."

Now, if anybody had not paid the £1 levy for that year, under the rules of that union he could be declared unfinancial and could lose his job.

**Mr. Graham:** Too bad!

**Mr. KNOX:** The hon. member interjects, "Too bad." The hon. member for Belmont, the Leader of the Opposition, the hon. member for Nudgee and several other hon. members have claimed time and time again that the Communist secretaries are democratically elected under the rules of the unions and that, under the terms of the Act and of the Bill, because they are democratically elected, they have to accept them, and the unions must, if they desire, properly affiliate themselves with the Labour Party.

**Mr. Newton:** That is not true.

**Mr. KNOX:** Let me quote from the rules of a union affiliated with the Australian Labour Party—the Queensland Shop Assistants' Union of Employees. This rule appears on page 6 of the copy that I have—

> "(a) Every candidate for any office in the Union shall sign or lodge with his or her nomination a declaration that he or she is not a member of the Communist Party or of a Communist-controlled association.
>
> (b) A member of the Communist Party or any person furthering or associating with furthering Communistic propaganda shall not be eligible to hold any office in the Union.
>
> (c) Notwithstanding the provisions of any other rule this rule shall only be amended or rescinded if two-thirds of the delegates assembled at the Annual Meeting of the State Council vote in favour of such amendment or rescission."

**Mr. Bennett:** Doesn't that rule cut the ground from under you?

**Mr. KNOX:** Hardly. It cuts the ground from under the propagandists opposite who claim they have to accept these secretaries because they are democratically elected by the union. This union, affiliated with the Australian Labour Party, does not have a Communist secretary. This union, three members of which sit on the Executive of the A.L.P., have no Communistic influence behind it because its very rules exclude any such influence among the officers elected. Why cannot these other unions do exactly the same? Why cannot the A.L.P. members, who make excuses for those Communists who are elected by trying to claim that they are democratically elected? The remedy is a very easy one.

**Mr. Hanlon:** The remedy rests with the Registrar of the Court and you know it. They register the rules of the unions.

**Mr. KNOX:** Of course they register them. That is my whole point, and in the Bill we have introduced a provision that no rule shall be tyrannical or harsh. That is something hon. members opposite are not prepared to agree to.

The Bill is one of the most important pieces of legislation that Queensland knows of. In 1916, when similar legislation was introduced, and again in 1917, 1929 and 1932, there was tremendous interest in it.

**Mr. Graham:** There still is.

**Mr. KNOX:** Of course there is, because it effects the welfare of every person in the community, employer and employee. It is significant that the official Opposition party, the Australian Labour Party, consistently and repeatedly tries to suggest that it is anti-working class.

**Mr. Graham:** So it is, and repressive legislation.

**Mr. KNOX:** Is the hon. member going to oppose it?

**Mr. Graham:** Make no mistake about that.

**Mr. Hanlon:** Yes, we will divide on a number of clauses that are repressive.

**Mr. KNOX:** Of course he cannot afford to oppose it. If he does, he will be following the line of those who are trying to force his hand in abolishing and destroying an arbitration system that has been the safest and soundest system for solving our industrial disputes. Arbitration was one of the great principles of the Australian Labour Party many years ago.

**Mr. Davies:** It still is.

**Mr. KNOX:** It is not now, because their spokesman, Mr. Egerton, whom they cannot deny, has publicly stated on many occasions that he will smash arbitration, that he will have nothing whatever to do with it and all that goes with it.

We have a very fine measure before the House, and the Minister and the Government are to be congratulated on its preparation and presentation.

**Mr. HANLON** (Baroona) (4.51 p.m.): There is no doubt that this Bill is, both by its size and its content, a very important measure. But, even allowing for those features, it has probably had a more chequered career than any Bill that I can remember for years. It really started, as I think the hon. member for Norman remarked, away back in 1959, when the Minister gave notice of an amendment to this Act. Apparently argument was brought to bear on him that, with an election coming up in 1960, it would be dangerous to introduce the amendments that are now being incorporated in a general re-enactment of the Act. Consequently, it was very smartly labelled "Not Wanted on Voyage" for the election and, now that the election is over, it is coming up again. The Minister

cannot deny that, because notice of amendment of this Act lay in the House from somewhere about October or November. 1959, through the adjournment over Christmas, through the short session in February and March prior to the last election, and was then whisked away like a puff of smoke. We were never given the courtesy of being told what it was or why it was not being proceeded with. As usual, the Government, who pose as champions of democracy in introducing some of these Bills, were so undemocratic that they did not even apologise to Parliament for withdrawing that Bill and some other Bills.

When the election was over, the Bill was brought up again in the ranks of the Government and it was polished up. To give it an air of respectability, a committee was appointed whose published aims were to receive evidence from all interested parties on suggestions that might be incorporated in the Bill. The Minister said that a number of bodies, including the Trades and Labour Council and virtually every union in Queensland, made submissions to the committee, which was set up under the chairmanship of Mr. Peter Connolly. It was a committee that was certainly weighted in favour of Government opinion. One aspect to which the Minister said its investigations were directed was the controlling of alleged rorts in union ballots. Mr. Connolly might have been a very good chairman from that point of view, because he could bring to his position some knowledge of rorts in the Liberal Party Kurilpa Selection Committee.

**Mr. SPEAKER:** Order! The hon. member is not in order in discussing anything outside the Bill.

**Mr. HANLON:** I might point out, Mr. Speaker, that we have had discussions from the Government side as to whether the A.W.U. should re-affiliate with the Q.C.E.; we have been described as Communists—

**Mr SPEAKER:** Order! Hon. members on my left have also been talking of Fascists on my right, and I think they have the right of reply. I will ask the hon. member to confine his remarks to the Bill. He can answer any criticisms that have been made, but he cannot bring in any new matter.

**Mr. HANLON:** I think my remarks are pertinent to the Bill because "political objects" are defined in the Bill.

**Mr. SPEAKER:** Order! The hon. member is not in order in talking about rorts in certain parties or in connection with Government members. I ask him to refrain from continuing in that fashion.

**Mr. HANLON:** I do not know whether you think that, but I never suggested that any Government member was involved in a rort in connection with the Kurilpa Liberal plebiscite. I certainly do not think you would think that. If you were of that opinion, I am not.

**Mr. SPEAKER:** Order! I ask the hon. member to stop.

**Mr. HANLON:** The committee appointed by the Government certainly was weighed in favour of the Government's point of view. It had Mr. Connolly as chairman, a former Liberal member of Parliament who had previously expressed views in the Chamber which certainly would not be regarded as being favourable to the great mass of workers in the State, to trade unions or their officials. One member of the committee was the Registrar of the Industrial Court. No doubt he is a man very experienced in the procedures of the Court. I do not deny that his advice would be helpful, more or less in the nature of a secretary to a royal commission, but I do not think it was necessary for him to be included on the committee. Another member of the committee was Mr. Tait from the Public Service Commissioner's Department. He has acted as an advocate for the Government in the Industrial Court. I am not implying that his personal opinion would be in favour of the employer, but his experience in his official position has been predominantly that of an advocate presenting a case for the employer. After the committee had been set up more or less to whitewash the Bill so that it could be brought forward with an air of respectibility and impartiality, the Minister presented it to Parliament. He implied, and certainly it was reported that way in the Press, that he proposed to push the Bill through within a couple of weeks because he thought it was urgently needed to clean up the industrial situation. What happened? "Hansard" records that he spent one and a-half hours or more outlining the general provisions in the introductory stage. That indicated that the Minister rightly thought he should give the committee an indication of the contents of the Bill at that stage. The Opposition took the opportunity to thoroughly debate the information given by the Minister at that stage. We have been criticised by hon. members opposite because of the length to which we debated the Bill upon its introduction. The hon. members for Ashgrove and Nundah —it may have been the speaker before the hon. member for Nundah—complained that we spent too much time on the Bill at the introductory stage.

**Mr. Morris:** They did not complain at all.

**Mr. HANLON:** I clearly remember the hon. member for Ashgrove saying that we would have done much better to have waited to see the Bill. He asked how could we deal with it when we had not seen it. When he was challenged whether he had seen the Bill he said that he had not, but with his unusual logic he told the Committee that there had been lengthy discussions in caucus about the provisions of the Bill before they allowed it to be introduced. On the one hand he chided the Opposition for debating the Bill at such length at the introductory stage, without having seen the Bill, and having had only the general provisions outlined,

but in the next breath he told us that the Government Caucus had had lengthy discussions about the general principles of the Bill without seeing it, before they allowed it to come to Parliament. For that reason he did not think it was necessary to debate it at the introductory stage. Although the Government back benchers fell down on their job, needless to say, the Opposition did not. I submit that the force of the argument put forward at that stage was sufficient to enable unions, employers and members of the Government Caucus, particularly Country Party members, to force onto the Minister amendments which he otherwise would not have tolerated. He would have pushed on with the original Bill regardless of subsequent arguments developed by the Opposition.

We have been chided by the hon. member for Nundah because as a party in Queensland we have set up a sub-committee from the unions affiliated with the Australian Labour Party—something in the nature of a consultative committee. That committee has been set up so that when industrial legislation or legislation impinging on industrial matters is introduced we can refer quickly to that committee and have the benefit of any submission that it makes. It is not that we are in any way bound by such submissions, but merely that, as usual, whether the legislation refers to oil companies, or any other matter, we like to put ourselves as a Parliamentary party as clearly in the picture as possible.

**Mr. Knox:** What is the reason why that committee was appointed by the Q.C.E.?

**Mr. HANLON:** I thought the hon. member for Nundah would be silly enough to repeat that question. Surely he realises that he condemns himself in front of his colleagues and the Minister when he says that, because the Minister himself has time and time again urged unions to join his State Ministry of Labour Advisory Council, or whatever it is called, and he has castigated unions, including Communist-dominated unions, because they thought it unnecessary to join the committee he set up.

**Mr. Morris:** When did I castigate them?

**Mr. HANLON:** The Minister has complained in this House that although the unions seemed at first as if they would co-operate on that advisory committee, on a ruling from the A.C.T.U. they withdrew. So, when the hon. member for Nundah says that we set up a small committee of affiliated unions to keep ourselves in touch with the unions and their officials, I say we are not ashamed of that because they are the people representing the great mass of unionists in this State. It might surprise the hon. member to know that more than one member on this side of the House is a member of the Federated Clerks' Union. They have continued their membership of that union over the years notwithstanding the fact that that union has disaffiliated from the Australian Labour Party and, indeed, not as a union, but so far as some of their branch councillors are concerned, are active against the Australian Labour Party in the political field. That has not prevented members of the Australian Labour Party in this House from continuing their membership. They do not feel they should automatically pull away from this union or from other unions on such grounds. Mr. Dufficy and Mr. Davis continue to be members of the A.W.U. though that union has been disiffiliated. These things cannot be reduced to a straight line where you can have some people on one side and some on the other.

Perhaps it is because we have kept in touch with these unions that we were able to put forward at the introductory stage suggestions that would have saved the Minister from this embarrassment if the Government and the Government back benchers had had enough nous to accept them before the Bill came to Parliament. They should have brought pressure on the Minister publicly at the introductory stage or in the Government Caucus.

**Mr. Morris:** I am not embarrassed.

**Mr. HANLON:** The Minister denies that these amendments have been forced upon him yet today he told us that he was forced to withdraw the provision relating to legal representation in the Court. He does not think it is right to withdraw it. To use a famous old slogan, "Right or wrong, wise or unwise he accepts the majority verdict." (Government laughter.) It is very funny but it is very proper so far as the Minister is concerned in this case. If he checks his proof he will find that he said he did not think it was right to withdraw his provision for legal representation in court, and he went on to say that when he gets the opportunity he hopes to vary it in another amendment in the future. So, in conscience, the Minister has admitted that he will move an amendment that he thinks is wrong. When he moves it he should vote against it although he will be the only member in the House to vote against it. He said that on this occasion he is the only person who is in step; everybody else is out of step—the trade unions, the A.L.P., employers, even the Government Caucus. They are all out of step. The Minister thinks that what he did is right but though we are continually told that no Country-Liberal Party Minister obeys a majority decision if he does not think it is right he will reverse it. So, having moved the amendment he will have to vote against it.

Blind Freddie can see that this particular clause is opposed by everybody but it was put forward obviously by the only person who apparently supported it, the former member for Kurilpa, Mr. Connolly. The Minister's attitude does not lead unions to have any great confidence in some of the provisions of the Bill or in the Minister in his present position of Minister for Labour and Industry. The Minister for Transport

this morning in reply to a question quoted a saying of Confucius. I do not know whether the following saying comes from Confucius, but it is a Confucius-like saying, "A man uphill never on level." The Minister is uphill all the way with the Bill and I should say he is certainly not strictly on the level. I am not saying that in a personal sense. The Minister is not being strictly forthright or perhaps he is being forthright to a degree almost impossible to understand. On the one hand he is going to introduce a provision that he thinks is wrong. I do not think he is regarded by unionists as being on the level when they compare some of the clauses of the Bill with some of the clauses in the Amoco agreement with which the Minister was associated.

The hon. member for Burke has pointed out vigorously that bonus payments are a burning question in Mt. Isa. The provision of the Bill brought about a very spontaneous and strong demonstration by a great mass of A.W.U. members who under no circumstances are likely to fall for any Communist trickery. Bonus payments are a very important matter, and the provision in the Bill will certainly lead to a great deal of industrial trouble. The A.W.U. to say the least of it is normally regarded as being a responsible union in these matters.

I point out, again for the benefit of the hon. member for Nundah, that he with the Minister apparently cannot distinguish between bonus payments of the nature of the lead bonus at Mt. Isa and incentive payments. Incentive payments are a different matter altogether. The Bill provides specifically that the Industrial Conciliation and Arbitration Commission can no longer increase bonus payments in existence but that it can abrogate them or reduce them. That is the way the Minister acts when dealing with unionists and unions at Mt. Isa and other places who are affected by bonus payments. But when he is dealing with a great monopoly, the Standard Oil Company of Indiana that has 1,281,000,000 dollars behind it, he adopts a different attitude. The Amoco agreement specifically provides the opposite treatment for this company. The benefits of the agreement can be increased without an Order in Council being brought to Parliament, but they cannot be abrogated unless an Order in Council is brought to Parliament.

I do not want to extend my argument in this respect, because the subject has been dealt with. I am merely advancing it as a reason why unions regard the Bill and the Minister's handling of it with a great deal of suspicion. The benefits of the Amoco people cannot be taken away from them even if Parliament in the future should decide to do so. The company is given specific protection against the taking away of benefits under the agreement.

**Mr. Hart:** You are misreading that clause of the agreement.

**Mr. HANLON:** You, Mr. Speaker, would not permit me to quote the Amoco agreement and I therefore shall not do so. That is the position, but, when it comes to the A.W.U. members at Mt. Isa and other unionists, the legislation being considered goes in the other direction. The court cannot increase the benefits, but it can take them away. Does the Minister say that that is fair? Bonus payments have been discussed fairly fully and they can be dealt with later when the particular clause is being considered. I repeat that there is an illogical position that has already been outlined whereby the Court or Commission is not allowed to ratify agreements, although the Minister is to introduce an amendment which will allow it to ratify any agreement entered into, but it is not allowed to award bonus payments in the future. It virtually tells the employer and the employee to go away into a corner and fight it out between themselves, and immediately the fight breaks out the Court has power to step in—and certainly would, in the event of a serious stoppage—and make an ex parte order for the men to return to work. There again the Bill proves that it is illogical, as it is in so many other ways, and it is when it deals with the right to strike.

We heard a great deal of talk about the right to strike being retained in the Bill. I think there may be a certain amount of confusion once we start talking about the right to strike. The right to strike is certainly not retained in the Bill. The right to strike has always been of somewhat dubious validity, even under the old Act. Whilst provision is made in the Bill for a ballot to be taken to authorise a strike, provision is also made for the Court to move in, and order the men back to work, and the penalties in the Bill under Section 102 are £500 for a union or corporation, and £50 for an individual. We have this contradiction that the hon. member for Bulimba dealt with. We have a clause in the Bill that provides that if a ballot is taken and is successful the strike becomes authorised, but there is another provision, Clause 36, which says that immediately the Court is of the opinion that a dispute is likely to develop, it can enter, without being notified, and make an ex parte judgment, and if it thinks necessary, order the men back to work, and as I said there are substantial penalties provided in Clause 102, which may be up to £500.

The hon. member for Ashgrove anticipated this argument, or he was replying to arguments of this type that were put forward earlier in the debate. He submits that the words "Subject to this Act" in Clause 36, mean that the Court would be debarred from taking any action if an authorised ballot had been taken and was successful, but there again, we are not prepared to accept the legal opinion from the hon. member for Ashgrove. I do not know whether he got legal opinion on the matter.

**Mr. Tooth:** I did.

**Mr. HANLON:** The hon. member rose to his feet, and started to talk about the old Wages Act, and said that somebody could be fined for leaving his employer without giving notice. When we asked him before what body would put the charge he said he did not know.

**Mr. Tooth:** I said I did not know which magistrate. The answer is, the Industrial Magistrate.

**Mr. HANLON:** The hon. member gives us the answer about a week later just as the Minister did when he had pressure brought to bear on him last week to bring these amendments that he has introduced. The right to strike is very dubious, and it is made even more dubious under this legislation. We believe if the right to strike is taken away the worker is virtually without protection in view of the other forces that are brought to bear on him. We say that we wholeheartedly support arbitration and we believe in it, but we do not say, as the hon. member for Bowen said, that arbitration courts are like the sacred cow, and cannot be criticised, or cannot be improved in any way. If there is any way in which to improve them, then by all means let us improve them, but we will not improve them by pretending there is nothing wrong with them. When we believe that something is wrong we should point it out.

We have heard a great deal of criticism from hon. members on the Government side who have endeavoured to associate us with the Communist Party. They have claimed that we are the dupes of the Communists. We had hon members on the Government side displaying a photograph to the House, just as the Minister did on T.V. the other night, when he waved the photo showing a committee meeting of the Trades and Labour Council in which there were depicted four A.L.P. members and three Communists sitting around a table at the meeting. There was Mr. Whiteside, and Mr. Milliner and a couple of other A.L.P. members. The Minister attempted to show by this photograph that we were working in collusion with the Communists.

**Mr. Morris:** I described it as a unity ticket.

**Mr. HANLON:** He described it as a unity ticket.

**Mr. Morris:** I did.

**Mr. HANLON:** Does the Minister suggest that those four A.L.P. members should resign from that committee and allow four Communist members to replace them? Does he suggest that, when a stop-work meeting was held at the Exhibition, of which the hon. member for Nundah complained, because Mr. Macdonald was speaking there with an A.L.P. member, the A.L.P. speakers should have stayed away and allowed Messrs. Dawson, Hanson and Macdonald to be the main speakers?

I stress that this relates to industrial matters. I point it out specifically because it is a fundamental rule of the Australian Labour Party that in political matters certainly we refuse to tolerate any association with Communists on a platform. But on industrial matters, and matters that have a bearing on industrial matters, such as this Bill, such as perhaps even the Crimes Act, on which Dr. Poulter was criticised for his attendance at a particular meeting some time ago—in matters that have an industrial bearing, where people have responsibility associated with industrial matters, it is only logical that there is a necessity to confer and meet and speak with Communists who are holding official positions either in the Trades and Labour Council or in the union. It has already been pointed out today that the Minister himself has sat around the conference table in recent weeks with representatives from the Trades and Labour Council, some of whom are members of the Communist Party. So do not let us have this tirade of abuse of the Australian Labour Party on these matters, which can only be described as a pernicious principle of guilt by association. That is the type of principle that the Communists and Nazis and all the other totalitarian regimes are or were adept in putting into practice. "So-and-so is seen with somebody" who is an underground worker in Germany—when the Nazis were in control. Therefore he is opposed to the Nazi regime. Therefore he should be put in gaol or sent to a concentration camp. The same goes on in Russia and in other places under totalitarian regimes. We have in this Parliament, which, we hope, is a democratic assembly, hon. members like the hon. member for Ashgrove who ask about a letter sent from the Operative Painters' and Decorators' Union asking for support for the A.L.P. and signed by Mr. Hanson as secretary of the union, in other words implying guilt by association—the same pernicious principle, which should not be tolerated in any democratic country. Yet that is the ground on which the hon. member for Nundah, the Minister, the hon. member for Ashgrove, and the like will try to indict the Australian Labour Party in these matters.

I think my time is almost up. I want to read a quotation that I think is a very apt one for this debate. It is taken from what is probably an unusual source to be quoted here, "The Catholic Leader," of Brisbane, of 16 March. It is part of an editorial comment relating to the stoppage and the meeting at the Exhibition ground. As I will be reading only a very small part of it, and I do not want to quote it out of its context, I want to say, so that it will not be thought that the leader writer is supporting our case or anybody else's case, that he was critical of the stoppage and the meeting at the Exhibition and he was also critical of some of the

activities of the Trades and Labour Council and so on. But this particular section of the editorial is very appropriate, I think, because it strikes at the fundamental difficulties of Acts such as the Industrial Conciliation and Arbitration Act, whether introduced by this Government or by any other Government. I think that this Government actually have not an appreciation of the basis of these things. As it is put very concisely and fairly, I propose, if I have time, to quote briefly from it.

It states as follows:—

> "Meanwhile, as the State Government pushes ahead with amendments to the industrial laws, it would be good to feel that there is a sufficiently broad realisation of the fact that, regrettable as it may be to have to make this acknowledgment, industrial law anywhere has not yet reached the stage where it can fully claim it has the features and sanctions that attach to orthodox civil or criminal law. In a sense, industrial law is like international law, which may collapse under strain in certain situations and, in effect, for the time being ceases to be 'law' at all."

The last sentence is the keynote of the matter. Is it not true that an Industrial Conciliation and Arbitration Act, irrespective of which Government introduce it, is something like a law we try to make for international purposes in the United Nations? It is something like the problems they have in the British Commonwealth. If the strains are made too great, whether on the employer or the employee, it simply cannot work. I think that the argument that is put very concisely in this article is pertinent to this Bill. As the Minister rightly said, many of the wise provisions that were included in the Act by former Labour Governments are being re-enacted, but I believe that the extra weight and strain of penalties that are being put on the unions without being put appropriately on the employers will cause the collapse of the whole system of industrial peace.

The article continues—

> "Also relevant, and worthy of being kept in mind by the Government, is the fact that the best industrial legislation in the world will not alone solve the problems and ailments from which the industrial labour movement is suffering.
>
> Union officials and workers alike cannot be 'legislated' into proper attitudes and practices."

I appeal to the Minister to consider these matters when we reach the Committee stage in the light of the remarks that have been made not in any sectional way but in a way that I think will be accepted by all sections of the community that will be affected by the Bill. We see an illustration of the extra personal strains that are being imposed on people today in wives being forced to go out to work. In the old days, if a man could not reasonably live within his income he turned to his union. Today we find that men are turning to their wives and getting them to go out and supplement their income, or they are working excessive overtime that has a bad effect on their health.

I shall conclude at that point because I understand the Minister wishes to reply before the House adjourns.

**Hon. K. J. MORRIS** (Mt. Coot-tha—Minister for Labour and Industry) (5.22 p.m.), in reply: I am really quite pleased that the hon. member for Baroona finally overcame his great reluctance to speak in this debate, notwithstanding his apparent attempt to hurt me in the assumed guise of a Chinese sage. I know that the words he used are not the words of Pat Hanlon, because they are not in accord with his character. Therefore I will forgive him. The reason why I am so pleased that he made a contribution to the debate is that I can again remind him that the hon. member for Nundah most clearly and distinctly showed him how he can in fact obtain a final end result that I really believe he wants. The hon. member for Nundah gave him a clear example and understanding of how some unions make quite sure that they have no Communist domination, and I have no doubt that the hon. member for Baroona will very quickly follow that lead.

The hon. member chided me, as did other speakers, for bringing in 29 amendments. I am proud we are doing that, because it is a complete example of how we have co-operated with all the people who are interested in the Bill. I am delighted about it. Of course, I recognise that quite a number of them are mere machinery amendments, mere drafting amendments; but, nevertheless, there are many important amendments, and I am very proud of them.

The hon. member referred to my comment about the legal profession under Clause 125 (4). Surely this is a place where we have a right to say exactly what our opinions are. This is not a matter of principle; it is merely a matter of opinion. My opinion is that Clause 125 (4) is a good one, but I have no blood pressure about the fact that other people think it is not. It is not a matter of principle whether I support it or whether I do not. Fortunately, with my added years, I am now at the stage where I am prepared to admit that many other people have good ideas as well as myself, and I acknowledge that their ideas have to be paid a great deal of attention. I am doing that, and I am proud to do it. I am certainly not ashamed of making that amendment.

I was rather interested in the letter tabled by the hon. member for Nundah. It showed clearly and absolutely that not only intimidation but all sorts of tactics were being adopted by certain unions, in this case to try to prevent the holding of a secret ballot. I happened to be watching the hon. member for Baroona at the time. Because of his

background in the Labour movement I sympathise with him. He was absolutely knocked by the shock of that letter. As soon as he recovered himself he came over and read it. Many other hon. members on this side saw that. As one who has a belief in his own party he was completely shocked with dismay when he learned that such things can happen within his own party. There are others, of course, who would know of it, and probably they would be quite happy about it. But certainly the hon. member for Baroona made his feelings very evident by his expression.

The debate has lasted for two days. I have taken a note of many points that have been raised. I shall reply to as many of them as time will permit. More than 50 per cent. of the time taken up by Opposition speakers has been used to attack me, my capacity and my ability, not only in the field of this Bill, but also in general departmental administration. I just could not care less. I am perfectly happy that I am doing the best I can. If that does not suit hon. members opposite I cannot help it. At least I have an easy conscience. I am quite satisfied that I am making a contribution for which I have every reason to be proud. Indeed, I am looking forward quite keenly to the opportunity to discuss the administration of my department generally at the appropriate time. I think the appropriate time is during the Estimates later in the year.

I was asked whether I was or ever had been a union member. I adopt the practice of telling the truth here, as I do anywhere else, and I admitted quite frankly that I am not a member of a union and never have been. Because I acknowledge that fact it was said by many hon. members opposite that ipso facto I could know nothing at all about unionism. What a curious argument! I challenge the entire basis of that judgment. Indeed, if hon. members opposite are going to use that type of judgment surely they must castigate their own Leader for having been a Minister in charge of railways because, to the best of my knowledge, he never drove a railway engine, at least until he became a Minister. Certainly he did not work within the Railway Department. That is no discredit to him, but I draw that analogy.

**Mr. Bennett:** He has a standard of intelligence—that is the difference.

**Mr. MORRIS:** I pay to the Leader of the Opposition, if not to all of his colleagues, the compliment that he has a certain amount of intelligence.

I have never been a member of a union; I am not today. But I seriously question whether 50 per cent. of hon. members opposite are today members of unions. I seriously challenge them because I have reason to believe that less than 50 per cent. of them are now union members. That they must draw this red herring across the trail demonstrates that they have absolutely no argument. Anyway, I cannot see and I am afraid I never will see how the physical fact of joining a union confers on someone some extra judgment, or some extra ability. All it does is to confer on them a ticket and even a ticket cannot convert a person of no judgment to one of judgment.

I was attacked because I have not been a member of a union. I was attacked on another line and I was quite sorry that the Leader of the Opposition, who, I think, could have made some reasonably good contribution to this debate, turned his attention in some other way. I cannot understand why he must persist in attacking me personally. It worried me once, but it does not today. Not only did he attack me personally, but so did the hon. member for Kedron.

The main basis of his attack was that I used the word "irresponsible." Against whom did I use that word? I quite frankly used it against members of the Trades and Labour Council. I did it because I considered, and still consider, that their action in calling unionists out on Wednesday last was irresponsible. Nothing that is said here in an attack on me because I used the word will make me change my opinion in that regard.

To use half of his time, 20 minutes, in attacking me for using the word "irresponsible" seems to me to be the height of irresponsibility. Maybe I admire him for his loyalty to those about whom I spoke, but I do not admire his judgment.

It is curious that we have a situation in which only last Wednesday the Trades and Labour Council—including some members of the A.L.P.—precipitated a strike that was a fiasco, and caused a great deal of personal loss to members of unions and industrial loss because they claim that the Bill about which we are talking is the worst type of Bill ever introduced in this House. At the same time, we have the most amazing situation of nearly every member of the Opposition using different phrases and sometimes similar phrases in being critical of the Bill and obviously opposing it with every ounce of their beings while their leader rises in the House and says he is going to support the second reading. If that is not inconsistency, then what is the meaning of the word?

The previous speaker, the hon. member for Baroona, referred to the agreement with Amoco. I do not propose to deal with it, but here was an opportunity of getting a refinery for Queensland and the Opposition voted against it. We have no refinery and they voted against an agreement to get one. Today we have an entirely different situation.

We have on our Statute Book an Act, the Industrial Conciliation and Arbitration Act, of which I have said before and say again, "It is a good Act." But, this Bill will make it a great deal better. Nevertheless, it is a good Act, yet the Opposition is

saying that they do not intend to vote against the second reading of the Bill. They say, "Yes, it may be a good Act, but we are supporting it because much that you have in your new Bill is making it a better Act." That is what they are saying. It is indeed incomprehensible that such an attitude should be adopted. We want to remember a little of what has been said against the Bill. Quite a few interesting things have been said. Let us consider them for a moment. Much has been said about Mr. Egerton. His organisation distributed a pamphlet, and I suppose many hon. members have seen it. Mr. Egerton calls the Bill "A hanging Bill," and his own organisation described it as "A slave Act that must be repealed." I ask hon. members to mark this statement, "Everyone with the interests of the Labour Movement at heart must see the latest Arbitration Act amendments for what they are—an attempt to introduce a police State." It called on people to vote against the Bill to try and defeat it. The hon. members of its own party are so inconsistent that they are critical of it and yet do not oppose it. This is a further extract from the same document—

> "The new Act can be defeated by the Labour Movement united."

If ever they are further away from being united than they are now, they will have many many miles to travel.

That is what the Trades and Labour Council thinks of the Bill. What about the Federal Leader of the A.L.P.? What does he think of it? He said, "This is a terrible piece of repressive legislation." Egerton said also, "It has a fifteenth century flavour." "The Guardian" talks about it as being a "bludgeon law." Those phrases are similar to the phrases we have heard in the Chamber. That is not the finish of it. I ask hon. members to listen to a few more of these statements. I have listened to a great number of critical comments in the Chamber, and if I have the time to do so I intend to give them in detail. I intended to do it now, but apparently I put the note in its wrong sequence. I have it now. I knew I had it.

The hon. member for Burke said, "I have yet to see a more vicious piece of legislation." But he is going to vote in favour of it.

The hon. member for Townsville North said, "I have not got one good word to say about it." But he is going to vote for it.

The hon. member for Belmont said, "This Bill will in fact reduce wages." But he is going to vote for it. He also said, "This Bill will permit new industries to pay under award wages." But he is going to vote for it.

How inconsistent can hon. members opposite be?

The hon. member for Cairns said, "The freedom of the people of Queensland is at stake and that is why we bitterly oppose the Bill." He, too, will be voting for it at the behest of some sections of his party. He continued and said that many of the good principles are thrown over and many of the Commonwealth provisions are included, yet I remind you, Mr. Speaker, that they are going to vote for it.

I have some more quotations. I want the hon. members to remember the words they have used. The hon. member said that this Bill proves that the Government are determined to destroy the whole industrial structure in Queensland, yet, he is going to vote in favour of it. He even called it a rotten Bill, and said that we are trying to get back to the times when employees were forced to touch their foreheads to the boss. If ever there has been a complete example of woolly thinking in this House, I think we have it in this debate. I must confess I am amazed at some of the speeches that were made.

The extension of Communism throughout the world has been the subject of discussion. I quoted from a world authority on it, and many other aspects of this great world problem were introduced into the debate. No hon. member on this side of the House made any personal statement about an hon. member on the other side. In those circumstances, why is it that apart from when hon. members opposite were attacking me, they used the balance of their time in trying to justify the philosophy of Communism, and near Communism, which is within the industrial life of this State? I just cannot understand it. I believe that it is surely time that these people who have shown—not willingly, perhaps, but nevertheless they have shown—that they are more susceptible than anyone else to this menace, because of their political philosophy, should take notice of it, yet they are taking no notice of the danger. I believe it is time that they woke up to the danger, instead of saying, as the hon. member for Townsville North said, that we were indulging in cheap political jibes. It is a great pity that hon. members opposite do not recognise the danger within their midst. This is what the hon. member for Burke said, and I am quoting from his speech—

> "References to Communism have been made" etc.,

and he goes on—

> "I ask this question, who is going to show us the line of demarcation between the Communist and the militant unionist? I doubt whether any hon. member opposite can do it."

In other words. he is saying exactly the same as we said on this side of the House. I did not say it on this occasion, but it was said by other hon. members. Probably some months ago I said the same thing too. The hon. member said in the clearest of terms, that he cannot distinguish between a Communist and a militant unionist. While that type of thinking prevails in a

party that claims to be a great party, and while it will not recognise the danger and join in the fight against the philosophy that is so damnable, and one of the greatest dangers we are facing, this country is in grave danger.

I will refer now to the publicity that has revolved around the Bill. I am afraid that it has come mostly from the Trades and Labour Council. I have here an extract from "The Courier-Mail" of 22nd March, We all know how topical and immediate that is, because we know today's date. Here we have—

> "One new Industrial Conciliation and Arbitration Bill amendment aimed at 'thought control,' Brisbane Trades and Labor Council Executive claimed last night."

They go on to say that Clause 111 (2) on page 5 is "fascist-like." The amendment to which they refer and which they say is an attempt at thought control and Fascist, has been in the Act for 30 years, and it was inserted by Labour. Yet we have this sort of propaganda from the Trades and Labour Council. Is it any wonder that I have a certain amount of contempt for the efforts they have put into this work, because they are so crudely incorrect?

The Leader of the Opposition chided me several times, and his colleagues did, too, I think, for not taking the unions into a discussion on the Bill. I repeat that in July of last year I wrote to, I think, every union. If I did not write to every one, then at least I wrote to almost every one—some because they come within the ambit of an organisation as well as being written to directly—and I told them what I was doing. I told them the Government had decided to amend the Act. I asked them for suggestions and they gave me many. Every suggestion—and I say this literally—every suggestion that was given was examined, not only from unions of employees but also from unions of employers. We examined them most critically. Now, hon. members know as well as I do that it would be grossly irregular for a member of this Government, or any Government, to circulate a copy of a Bill to anybody until it had passed through the first-reading stage.

**Mr. Duggan:** What about the Model Companies Bill?

**Mr. MORRIS** I said until it had passed through the first-reading stage. The hon. gentleman knows perfectly well the history of the Model Companies Bill and he knows very well that I have not the time to tell him the answer. He knows the answer, too.

Having done that, we caused the Bill now before the House to be printed and we made it available to all those people who wanted it. I had many requests for deputations and I saw every deputation that I was asked to see.

On 10 March I was with certain unions and they asked me could this Bill be postponed. I came into the House when a somewhat controversial matter was being discussed. I know many people saw me come in because there was a reason for their noticing me. I know that perfectly well. I had a discussion with the Premier and I asked him, "May I postpone this Bill for a week to give the unions an opportunity of looking at it even more closely?" And what did he say? He said, "Of course! If they want it for longer, let them have it, because we want the best Bill we can get." And we let them have it. On that very afternoon, when I got back to my office, the staff had gone and, in my own handwriting, so that I would be sure to cover the Trades and Labour Council, I wrote to them that night advising them of it also. Now, that was 10 March. Up to an hour ago, in the whole intervening period, I had not had one word from them. Just as I was sitting here while the hon. member for Baroona was speaking, I received a note from my staff telling me that Mr. Macdonald had phoned me here at 4.38 this afternoon. I could not go out; I was tied here. And he wants to meet me before this Bill goes through the next stage. He states that he wants to meet me on bonus payments. I have worked early and I have worked late. I have not counted the cost in time in seeing all these people. But I am telling you now, Mr. Speaker, that I physically have no time available to take this appointment before the next meeting of this House. I shall be chided for refusing, and I want the House to know why I am doing that. There is the literal truth that came to me subsequent to 4.30 this afternoon. That is the way the Trades and Labour Council play this game. Every other union with whom I conferred did in fact give me their ideas. Of course, they do not agree with everything that is in the Bill. Neither do the employers. There are many people who disagree with some of the provisions contained in the Bill. But it is not our intention to introduce legislation into this House using as a yardstick, "Are we pleasing this section or that section?" We are introducing a Bill because we think it is the right thing to do, and we are not going to be guided away from what we think is right. If we can accept amendments from people believing that they are right, or at least believing that they are really worth trying, we most definitely will do that.

I had hoped that I would be able to reply to many other speakers——

**Mr. Houston:** Keep on.

**Mr. MORRIS:** I will in the Committee stages. In the time that is left to me, I will make just a few comments.

**Mr. Houston:** What time is that? There are no restrictions.

**Mr. SPEAKER:** Order!

**Mr. MORRIS:** It is time these people learnt a little about the times and procedures of the House.

The hon. member for Burke objected to bonus payments and suggested that we should maintain the status quo. He appealed particularly for some consideration of the questions of political levies and victimisation and intimidation. I think they have been very fully covered already, so I shall not deal with them.

We were accused by the hon. member for Cairns of throwing mud. There has been no mud thrown by anybody on this side of the House at hon. members opposite. They have been terribly touchy, and I can only repeat what I said earlier—that if they would only grow up and be big enough to recognise the menace and try to fight it, they would do more for their country.

The hon. member for Salisbury again referred to some incorrect statement or other, and said that the Bill is contrary to Resolution No. 87 of the International Labour Organisation.

**Mr. Sherrington:** So it is.

**Mr. MORRIS:** Let me give him a little information. That Resolution No. 87 was agreed to——

**Mr. SHERRINGTON:** I rise to a point of order. I referred to Convention 87, not Resolution 87.

**Mr. MORRIS:** I will accept the correction. That was discussed in 1948. The hon. member said that the Labour movement ratified it. That is a lot of nonsense, because it does not go to the Labour movement for ratification, it goes to Governments for ratification.

**Mr. SHERRINGTON:** I rise to a point of order. I did not mention the Labour movement. I mentioned the trade union movement.

**Mr. Bennett:** You are misquoting everybody.

**Mr. MORRIS:** I will skip that. The Labour movement has no right to ratify that. It is Governments who ratify it.

**Mr. Sherrington:** What rot!

**Mr. MORRIS:** If the hon. member wants to continue in his ignorance, let him do so. But I do not want other hon. members to be misled. I would remind him that that resolution came to the Commonwealth Government for ratification. If the hon. member studies the various matters that go through the House he will find that on very many occasions we ratify decisions from that organisation. But in 1948 there was a Labour Government in the Federal sphere and a Labour Government in Queensland. The resolution has not been ratified by Australia, yet the hon. member strives to talk all that silly nonsense. That is an example of the type of misstatement the hon. member was continually making.

I pay tribute to the members of the Government parties who have contributed, not only to the debate, but also to the formulation of the legislation. I cannot remember the date, but some time last year all members of Cabinet spent hours considering every principle in the Bill. I give the lie direct to the suggestion that it was printed before being considered by the Government parties. I can prove that is not true when I have more time.

I thank my colleagues for all that they have done in the course of the debate and on previous occasions. Anybody listening to the debate either today or yesterday would recognise that there is a group in the Assembly that understand the Bill in all its various aspects. They understand the Act at present in force. But they are on this side of the House, not opposite. The amount of rubbish spoken from the Opposition side was absolutely appalling. They made no point that is worthy of reply.

It was very refreshing to hear the new ideas that were put forward. I know that my colleagues will forgive me if I select one, and one only, because that is all I have time to do. The hon. member for Bowen spoke about the broad desirability of the extension of the principle of sick leave, so that it could be carried forward. I am delighted to have the suggestion from him. I have not got time to develop the matter but I should like him to know that within the Police Force they have voluntarily organised their own sick leave bank. Having arranged it between the members of the union and the Government, the matter is now the subject of an industrial agreement which provides a sick leave bank that works to the very great advantage of members of the Police Force.

I cannot give full details of it but there is a somewhat similar scheme working within the Tramways Union. Every member of the union pays a certain amount towards a sick leave fund—I think it is 1s. a week. By helping each other they are able to bring into operation the very thing that the hon. member for Bowen suggests.

There is the development of a scheme within the union movement which is very much to the advantage of those associated with it. Many aspects of the Bill make it possible for union members in Queensland to help each other and aid the development of the State. I have no doubt in the world that the example we saw last Wednesday will prove that possibly between 95 and 99 per cent. of the unionists themselves will be wholeheartedly in favour of the Bill.

Motion (Mr. Morris) agreed to.

The House adjourned at 6 p.m.