

1906.

THE PARLIAMENT OF THE COMMONWEALTH.

HOUSE OF REPRESENTATIVES.

No. 1.

WEEKLY REPORT OF DIVISIONS IN COMMITTEE.

WEEK ENDED 6TH JULY, 1906.

TUESDAY, 3RD JULY, 1906.

No. 1.—*Australian Industries Preservation Bill*.—Clause 3.

3.—In this Act, unless the contrary intention appears—

“Commercial Trust” includes a combination, whether wholly or partly within or beyond Australia, of separate and independent persons (corporate or unincorporate) whose voting power or determinations are controlled or controllable by—

(a) the creation of a trust as understood in equity, or of a corporation, wherein the trustees or corporation hold the interests, shares, or stock of the constituent persons; or

(b) an agreement; or

(c) the creation of a board of management or its equivalent; or

(d) some similar means;

and includes any division, part, constituent person, or agent of a Commercial Trust.

“Lower remuneration for labour” includes less pay or longer hours or any terms or conditions of labour or employment more disadvantageous to workers;

“Person” includes corporation and firm and a Commercial Trust.

—(*The Minister for Trade and Customs.*)

Amendment proposed—That the following words be inserted after the word “Trust” in line 12:—

“but does not include a combination of persons engaged in agricultural, viticultural, horticultural, or dairying pursuits in relation to these industries”.

—(*Mr. McColl.*)

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

The Committee divided—

Ayes, 11.

Mr. Joseph Cook,	Mr. Bruce Smith,
Mr. Glynn,	Mr. Wilson.
Mr. Knox,	
Mr. Lee,	<i>Tellers.</i>
Mr. Liddell,	Mr. Kelly,
Mr. McWilliams,	Mr. McColl.
Mr. Skene,	

Noes, 26.

Mr. Carpenter,	Mr. Spence,
Mr. Chanter,	Mr. Storrer,
Mr. Chapman,	Mr. David
Mr. Culpin,	Thomson,
Mr. Deakin,	Mr. Dugald
Mr. Ewing,	Thomson,
Sir John Forrest,	Mr. Tudor,
Mr. Frazer,	Mr. Watkins,
Mr. Groom,	Mr. Watson,
Mr. Higgins,	Mr. Webster,
Mr. Hutchison,	Mr. Wilkinson.
Mr. Isaacs,	
Sir William Lyne,	<i>Tellers.</i>
Mr. McCay,	Mr. Hume Cook,
Mr. Page,	Mr. Mauger.

And so it passed in the negative.

WEDNESDAY, 4TH JULY, 1906.

No. 2.—*Australian Industries Preservation Bill (continued)*.—Clause 4 (*as amended*).

4.—(1.) Any person who ~~wilfully~~, either as principal or as agent, makes or enters into any contract, or is **or continues to be** a member of or engages in any combination ~~to do any act or thing~~, in relation to trade or commerce with other countries or among the States—

(a) in restraint of **with intent to restrain** trade or commerce to the detriment of the public; [or]

* * * * *

—(*The Minister for Trade and Customs.*)

Further amendment proposed—That the word “or” at the end of paragraph (a) be omitted.

—(*Mr. Dugald Thomson.*)

Question—That the word proposed to be omitted stand part of the paragraph—put.

The Committee divided—

Ayes, 28.

Mr. Bamford,	Mr. Phillips,
Mr. Batchelor,	Sir John Quick,
Mr. Carpenter,	Mr. Spence,
Mr. Chanter,	Mr. Storrer,
Mr. Chapman,	Mr. David
Mr. Culpin,	Thomson,
Mr. Deakin,	Mr. Tudor,
Mr. Ewing,	Mr. Watkins,
Sir John Forrest,	Mr. Watson,
Mr. Frazer,	Mr. Webster,
Mr. Groom,	Mr. Wilson.
Mr. Hutchison,	
Mr. Isaacs,	
Mr. Maloney,	<i>Tellers.</i>
Mr. Mauger,	Mr. Hume Cook,
Mr. Page,	Mr. O'Malley.

Noes, 11.

Mr. Joseph Cook,	Mr. Dugald
Mr. Fuller,	Thomson,
Mr. Glynn,	Mr. Willis.
Mr. Johnson,	
Mr. Kelly,	<i>Tellers.</i>
Mr. Bruce Smith,	Mr. Lee,
Mr. Sydney Smith,	Mr. Liddell.

And so it was resolved in the affirmative.

THURSDAY, 5TH JULY, 1906.

No. 3.—*Australian Industries Preservation Bill (continued)*.—Clause 6.

6. For the purposes of the last two preceding sections, unfair competition means competition [which is] in the opinion of the jury unfair in the circumstances; and in the following cases the competition shall be deemed to be unfair until the contrary is proved :—

* * * * *

—(*The Minister for Trade and Customs.*)

Amendment proposed—That the words “which is” in line 2, be omitted from the clause, with a view to the insertion of the words “in which unjust or dishonest means are employed for the purpose of destroying or injuring any industry” in place thereof.

—(*Mr. Johnson.*)

Question—That the words proposed to be omitted stand part of the clause—put.

The Committee divided—

Ayes, 24.

Mr. Carpenter,	Mr. Salmon,
Mr. Chanter,	Mr. Storrer,
Mr. Chapman,	Mr. Thomas,
Mr. Crouch,	Mr. David
Mr. Culpin,	Thomson,
Mr. Deakin,	Mr. Tudor,
Mr. Ewing,	Mr. Watson,
Mr. Fisher,	Mr. Webster,
Sir John Forrest,	Mr. Wilkinson.
Mr. Frazer,	
Mr. Groom,	<i>Tellers.</i>
Mr. Isaacs,	Mr. Hume Cook,
Mr. Mauger,	Mr. Wilson.
Mr. Poynton,	

Noes, 7.

Mr. Joseph Cook,	<i>Tellers.</i>
Mr. Johnson,	Mr. Lee,
Mr. Liddell,	Mr. McWilliams.
Mr. Dugald	
Thomson,	
Mr. Willis.	

And so it was resolved in the affirmative.