

That is bound to lead to friction. In fact, the whole thing is teeming with provisions which must cause friction. With regard to clause 10, imposing a penalty for not furnishing information, we may do all that we think the Government requires, and yet if by chance we overlook something that is thought necessary by an officer of the Government we are liable to a fine of £20. Certainly the words "after application has been made" should be inserted after "neglects." I think that is all I have to say with regard to the Bill. Unless some stop is put to this class of legislation I can assure you that employers of labour will be driven out of the country. We think that we could do our work fairly without all this irritation. They do it in England. I have heard people in Auckland say that they would chuck up the sponge and go elsewhere.

98. *Mr. Hardy.*] With regard to clause 11, with regard to which you, Mr. Goldie, spoke, do you think that there should be an appeal when the amount is over £5 as in ordinary cases at present?—Yes; we asked for that.

Mr. WILLIAM SCOTT made a statement and was examined. (No. 16.)

*Mr. Scott:* I am vice-president of the Dunedin Employers' Association. It is not my intention to take up much of your time this afternoon. I simply rise because I have been asked to point out one matter which we consider very unfair in connection with this Bill, and which previous speakers have omitted to allude to. In connection with this Labour Department Bill, you must remember that the Labour Department is now prosecuting for breaches of the Industrial Conciliation and Arbitration Act, and that this Bill places all these powers in the hands of the Labour Department. You will see, gentlemen, that in connection with this matter the Labour Department has power to call for any information or statement with regard to the relationship between a master and his men. They have power to examine books, to make all inquiries, and to obtain the evidence of men in any employ, and then, with that information in their hands, they can prosecute for breaches of the Industrial Conciliation and Arbitration Act, and the awards given under it. Now, a Criminal Court Judge will often tell a man that he need not answer a question because it might incriminate him; but under provisions of this Bill the employers are bound to incriminate themselves, or, in other words, they are not granted the privileges which are accorded to a criminal in the ordinary Courts. Employers have over and over again complained of this, and one cannot forget that all these powers are vested in the Labour Department. The employers have no means of finding out the standing and status and accounts of the labour unions, while, on the other hand, the Labour Department have every means of obtaining all the information they require with regard to the employers, and then when the employers go into Court they are practically condemned before they are heard. I may say that this position has been very much spoken of by employers, and there is a very strong feeling lately aroused among them with regard to it, and I think you will admit that there is something in it. Then, there is the provision in the third subsection of clause 7, with regard to obtaining information, "either general or particular, as the Minister deems necessary, relating to combinations of capital and labour or their effect on production and prices of commodities." Now, there is a Bill before the House dealing with combinations and trusts, but the Labour Department has such great powers conferred upon it by this Bill that it can even deal with trusts. There is no doubt that had this Bill been simply to place the Labour Department on a proper footing, if that is needed, and for the compilation of statistics, it would have been quite a different matter from this. I hope the Labour Bills Committee will not think that the employers are trying to get an advantage when they ask the Committee to carefully consider the points which we have brought before you.

99. *Mr. Tanner.*] Do I understand you, Mr. Scott, to mean that information could be obtained under this Bill which would be used by Government officers as a basis of prosecution?—I do not think there is any reason why the Labour Department should not be able to use the information obtained under this Bill for the purpose of prosecuting. Not only is the employer compelled to show his books, but the Department is given every means of extracting the information which it may require.

100. Have you read the subsection to clause 8 which provides that the information obtained under the Bill is not to be divulged? The subsection says, "Every person who commits a breach of this provision is liable to a fine not exceeding fifty pounds." Have you considered that provision? Do I understand that you have come to the conclusion that this evidence can be procured and afterwards used for the purpose of prosecution?—It is not my own opinion only that I have been giving. Some little time ago the Labour Department issued a circular to the following effect: "You are respectfully asked to notify at once the Head Office of the Department of Labour of any dispute that may arise between your union and employees, giving a concise and clear report of same. We are desirous of having such report as soon as possible after the dispute is declared, so that the Department may be fully acquainted with all matters connected with the dispute."

101. What does that mean? Is it not the duty of the Department as far as possible to get the most reliable information with regard to the trade and industries of the colony?—That is so; but the information can be used in case of a dispute.

102. Would that affect the industry?—It does not take away the fact that an employer has to give information which may be against himself.

103. I do not see that he would have to give information beyond what is within his own knowledge?—Well, the employers think it is unfair.

104. Is it not a fact that the employers have communicated their grievances to the newspapers?—No; I am not aware of any instance in which employers have communicated their case to the newspapers before it went before the Arbitration Court.

105. Well, I will say employers have lent themselves to interviews with newspaper correspondents?—I am not aware of any such case.