Court an employer pleaded that he was unaware of a certain clause in the award, and the Court held that it most probably was true that he was so unaware of the clause in the award. He did not know that such an award was in existence in his industrial district. Therefore some further way of advertising that a certain case is going to be tried should be found, and the first of these proposed new clauses is to that effect—namely, "Not less than fourteen days' notice of the sitting of the Court for the hearing of industrial disputes shall be published by the clerk in such newspapers circulating in the industrial district as the President directs." I may point out that this is as fair for workers as for employers. It would be perfectly easy under the present system for seven men to form a workers' union—say seven dredgemen at Alexandra South. They could get together, have a case brought, and only their evidence heard. These could have the conditions and wages in their trade fixed, whilst hundreds of other dredgemen in the district might never even know that such a case was being heard. Consequently I think the Committee will approve of the idea that there should be a wide advertisement of industrial cases, such, for instance, as this: that if the Court is going to sit in Auckland, fourteen days' notice should be given in the papers that cases will be heard in connection with the timber-workers' industry, the bootmakers' industry, the tailoresses, or whatever others there may be, so that employers and workers in those trades should be ready to give evidence before the Court on matters affecting their industry. I think that is a necessary provision, always supposing that each individual in a district has not to be cited by name. And I would ask you to remember how difficult it is in a district where an industry is scattered perhaps through many towns and many villages for anybody who is laying the information to get particulars so accurately that even the spelling of every name and the Christian name of every person employing labour in that district shall be correctly given in the information. Now we come to another important question. If members will consult the principal Act of 1900 they will find that clause 87, subsection (3) enacts, "The award, by force of this Act, shall also extend to and bind every worker who, not being a member of any industrial union on which the award is binding, is at any time whilst it is in force employed by any employer on whom the award is binding; and if any such worker commits any breach of the award he shall be liable to a penalty not exceeding ten pounds, to be recovered in like manner as if he were a party to the award." The intention of that was to bring the non-unionist also under the award, but it has had a curious effect. It has brought the non-unionist under the award, and has left the unionist out; and I am advised that there is nothing in the Act which brings the unionist under this award. I may explain that the policy of the Act at the start was to help the organization of labour, and not to make the separate units liable, but the union itself. It was thought that the union would have such control over its men that it should be one of the parties and would control its members. Now that has not only been found not to be exactly the case, but to be an exceeding hardship, it seems, upon the union itself. I will tell the reason why. The union comes to me, we will say, as to an inspector of awards, and tells me that a breach of award is being committed in a certain case in regard to its members. I investigate that and bring a case forward, and it is proved that the employer has been paying less wages than he should have paid. Now, if justice were done, I should also bring a case against the worker for having accepted less wages, because he has broken the award just as much as the employer has; and though there may be circumstances pressing on a worker to make him break the award which may not be pressing on the employer, still in the eye of the law he is doing wrong. Well, then, if a union is liable for the acts of its members, it, after going to the trouble of finding out that the law is being broken, is then also a guilty party and liable to a fine. If a union found that every time a person was fined it also had to pay a fine, that would be a very discouraging thing indeed to the union, and the Arbitration Act, instead of helping the unions, would be discouraging them, because it would mean that every good worker who himself obeys the law would have to pay part of the fines of the bad worker who kept on accepting less wages than he ought to get and so broke the award. There are three ways out of it. One is to make the union still liable for the acts of its members, but to give it greater powers. A union can now sue for a fine imposed for a breach of its rules; but the question is whether a union, after having had to pay a fine for a breach of an award committed by one of its members, should not be able to sue that member for this money. The objection is that the member might be a man of straw, and the union might have been put to heavy expense in connection with the case and might not be able to get the amount back again. Another way is to make the individual worker liable for having committed a breach of award just the same as if he were a non-unionist worker; and that traverses the primary intention of the Act, so that there is a very large question involved. A man might join a union and then accept a lower wage than that specified in the award on purpose to let the union in for a fine. I think myself that it would be fairer that the individual member should pay the fine imposed for having committed a breach and that the union should not. On that account the section marked B, (1), has been drawn—namely, "The award shall by force of this Act (but subject to the provisions of section thirteen of 'The Industrial Conciliation and Arbitration Amendment Act, 1901,') extend to and bind every trade-union, industrial union, industrial association, employer, and worker who, when the award is made or at any time whilst the award is in force, is connected with or engaged in the industry to which the award applies within the industrial district or other area to which it relates." Then everybody would be on the same ground; all persons would be under the award—unionist, non-unionist, and union, and so on. Section E provides as follows: "In any industrial dispute relating to an industry connected with the service of the sea, or with the carriage of passengers or goods between two or more industrial districts, the Court may, after hearing evidence in such places as it thinks fit, make a colonial award."

3. Why is that so limited?—Because the question of colonial awards is such a highly debatable question. In the House itself there are several interests represented which object very strongly to a colonial award.