

grievance. This fact should commend to the Committee the views expressed hereunder on the question bearing on the proposed strike amendments. I may now state that the Bill was considered by a committee of five appointed by the board of management of the union, and after careful and lengthy consideration of the various amendments proposed, the committee submitted a report and recommendations to the board. The report and recommendations were considered by the board, and after full discussion a motion was adopted authorizing three representatives to appear before this Committee on behalf of the union. Subsequently the union considered the board's recommendations and endorsed them. The whole of Part VI of the Bill we strongly object to as an undue interference with the liberty of the subject. It is one of the worst forms of coercion, inasmuch as it makes workers who do not wish to avail themselves of the provisions of the Act subject to the same penalties and restrictions as if they were registered under the Act and working under an award or agreement. The whole part is not British fair play. If a body of workers decide to remain outside the scope of the Act they should be allowed to make the best terms of employment they can, and if at any time they think that by striking they can improve their lot, the time that such strike should take place would be a very vital point towards the success of the issue. A strike having taken place it might be advisable for the Government or Minister to offer to act as mediator, but to force arbitration and make striking under such conditions an offence is undoubtedly interfering with the rights of British subjects. At the very start, Mr. Chairman, we would suggest to this Committee, if it decides to recommend to Parliament that legislation on the lines of Part VI be made law, that it be made a separate Act, and we suggest that for various reasons. Those who are registered under the Act submit that they are obeying the law, and if you force those who do not wish to come under its provisions, then you have two parties who are not in agreement as to the utility or wisdom of using the Arbitration Act, and we would suggest that the Committee recommend to Parliament to have a separate Act to deal with such matters as Part VI provides for. Another reason why that might be recommended is this: if you force unregistered unions under the Act—such large unions as coal-mine workers, shearers, waterside workers, and seamen—under the proposed legislation contained in this Bill every unionist will have one vote. Now, the result of that would be, I think, that they would control the workers' representative on the Court, and the question arises whether it is wise that the control of the workers' representative as to his appointment should be in the hands of those who are hostile to the Act. Therefore we would suggest that the Committee recommend that it be made a separate Act. At present the position is that when a union votes every fifty members count as one vote towards the representative.

3. *Mr. Rouley.*] I gathered from what you said that the main unions were not under the Act at all, and would have a vote?—I submit you are forcing those unions under the Act.

4. They would not have anything to do with the Arbitration Court?—You are forcing them under the Act.

5. *The Chairman.*] The idea is to bring this Part VI down in the form of a short Bill?—Then in that case it is not going to be an amendment to the Arbitration Act. We did not know that. If you are going to make it a separate Bill that is news to us.

6. *Mr. Rouley.*] In any case it would not affect the Arbitration Court?—This is the position: once you force them under the Industrial Conciliation and Arbitration Act they would necessarily want to have their rights and would become registered. We were looking to the effect of the legislation.

7. *Mr. Davey.*] Look at the top of Part VI. It states, "Strikes and lockouts by persons not bound by award or industrial agreement." The effect is nothing: the fact is before us?—Yes. Now, in subsection (4) of clause 141 it states, "A proposal under this section that a strike shall take place shall not be deemed to be carried unless a majority of the persons entitled on such proposal vote in favour thereof." That seems to me to give the minority power over the majority, because if you take a union of which 150 are entitled to vote under subsection (4), and 100 vote on the question submitted, 60 voting in favour and 40 against, then because of the 40 against the proposal is not carried. The result is that the 40 rule the 150. If 50 have not voted we take it that by their silence they agree with those who voted in favour of the proposal. That is minority rule, and that is against all precedent.

8. How would you have it?—Those who vote, and not those who are entitled to vote. The same can be said in regard to subsection (5)—my remarks apply in that case. I should like to know, Mr. Chairman, whether the Committee intend to recommend that this be made a separate Bill.

9. *The Chairman.*] Yes?—Well, that makes a big difference to us.

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JAMES HARPER examined. (No. 6.)

1. *The Chairman.*] What are you?—I am president of the Wellington Typographical Union.

2. Do you wish to make a statement to the Committee?—I just wish to corroborate what Mr. McDougall has said. I agree with him that the fact that this is going to be made a separate Bill makes a great difference to the evidence we were prepared to offer. We are convinced that this Part VI, even if made law, would not accomplish the end desired—namely, to prevent strikes. The strike method is still used by unions registered under the Act, notwithstanding the penalties such action involves, and the same would apply even if this Part were made law. Given, in their opinion, the necessary cause, unions would not hesitate to strike. What I would be inclined to suggest to the Committee is that any legislation in the direction of providing that in the event of a strike taking place in any industry and the parties not coming to a settlement, then give time—say, three days, or a week at the outside—and then an official be appointed by