

*Mr. Field:* We feel that, too.

*The Chairman:* And it is to get over that difficulty that this amendment is brought down.

*Mr. Field:* Perhaps then, Sir, it will not be out of place if the deputation presents a suggestion, which we believe would be eminently workable and avoid the difficulties we see in the present measure, while it would compass the end aimed at. Our suggestion is that there should be two Arbitration Courts, one for each Island. The Judges would be able to work together on uniform lines. It would be very much easier to secure uniform decisions when the decisions rested practically in the hands of two men than it would be if they rested in the hands of a dozen men in different parts of the colony. We believe the only practicable way out of the difficulty is the creation of two Arbitration Courts—one for the North Island and one for the South Island. This would guarantee that the work would be done, that it would be done without the difficulties arising which we have pointed out, and that it would secure uniformity of procedure. Of course it is understood that the employers have not brought into existence the arbitration law. It is not our seeking, but it is there on the statute-book, and since it is there we make the suggestion as to the way in which the proceedings should be carried on for the advantage of all alike, the whole community through. As far as we can see, that is the only practicable solution of the difficulty. There is another matter which is closely related to the Bill we are now considering. The Bill deals with the question of administration, which, of course, includes the question of fines and matters of that sort, and we desire the permission of the Committee to make a statement in respect of a matter which is not definitely included in the Bill, but which is closely related to it. This is the suggestion we want to make: We want to ask that provision shall be made that all fines levied under the Act shall be paid into the consolidated revenue of the colony. We have no objection whatever to the parties who may bring a dispute getting all their out-of-pocket costs. If a union brings a case of enforcement of award, then we think it is perfectly right that the union should have all the costs recouped to it if it wins the case.

[At this stage the point was raised as to whether this evidence was sufficiently germane to the Bill. After some discussion the Chairman ruled that it was, and the witness proceeded.]

*Mr. Field:* Sir, I think there has been pointed out in the course of the discussion which has taken place a reason which I should have given before. It is that in our opinion the present system offers a positive inducement to cases being brought before the Arbitration Court, inasmuch as many cases of alleged breach of award are found to be not breaches of award, but the party bringing the alleged breach of award becomes a participator in the profit resulting from any charge being sustained. Well, we do not think that should obtain, and in a Bill now before the House, which you will have to deal with in Committee of the Whole presently—the Shops and Offices Bill—the principle we are now urging is contained and expressed, the principle being that in the administration of the Shops and Offices Bill it is provided distinctly that the fines are to go into the consolidated revenue of the colony, and that they shall not be the property of any person who is a party to an alleged breach of the Act. Now that, we believe, considerably strengthens our position in claiming that a similar provision should be made in the Arbitration Bill. If unions are able to get fines of £5, £10, or £20, in addition to money out of pocket, you can see that there is some little inducement and incitement to take advantage of any alleged breach which may be discovered. We think that that should not obtain. As a matter of fact and experience, it was alleged here in Wellington some two years ago that a certain union operating in the Wellington District had been enriched to the extent of nearly £700 by the fines which it had been the means of levying upon the employers of the district. Well, we think that £700 should have gone into the coffers of the colony to help to meet the expenses of carrying on the administration of the Act. We believe the principle is entirely sound that where fines are inflicted, the colony being charged with the administration of the Act, those fines should be the property of the colony and not the property of any particular party which may be before the Court. We quite believe that the union or the employers should be recouped the costs out of pocket, but that they should not be able to make a profit out of the transaction. That is our position. We believe that that is one reason why some cases have been brought before the Arbitration Court, and that this has led in some part to the glut which is now experienced in carrying on the operations of the Act. I do not know that there is anything more to add as far as I am concerned. Mr. Charles M. Luke will probably speak next.

CHARLES MANLEY LUKE examined. (No. 2.)

1. *The Chairman.*] Do you hold office in the association, Mr. Luke?—I am a member of the association and a member of the executive representing the colony. I had not intended being here this morning. I believe this honour was intended for a brother of mine; but he could not come, and therefore I am a sort of emergency man. That by way of prelude. I desire merely to emphasize what has dropped from the lips of Mr. Field—that the glut in the Arbitration Court of the colony is due very largely to ignorance on the part of very many of those who have come under the operations of the Act, and this glut will very soon, in my opinion, be diminished. I know of very many instances where persons have been cited before the Arbitration Court who had no knowledge at all that they had committed a breach of the Act. This was due in a measure to the fact that certain awards were made, and certain changes in those awards are being made continually, and it takes some time for knowledge to filter through and for the owners of industries in the colony, and for those who are in charge of those industries, to be seised of all the changed conditions in those awards. Therefore, I think that when the machinery is better grasped and the awards more thoroughly understood, and, let me say, when there are fewer changes in the awards, then I think there will be very many fewer cases in the Court. Probably, looking in advance, one Court for the whole Colony of New Zealand is scarcely adequate to the requirements of the colony. Therefore, the suggestion made by Mr. Field would probably meet the case—the appointment of two Courts, one for the South Island and one for the North,