

REPORT OF PROCEEDINGS OF THE CONFERENCE.

Conference coming and making certain other suggestions which would have the force of law; it would be retrospective in that fashion.

HON. DUGALD THOMSON: I agree that a good deal of objection could be taken on one side to vessels running for 20 or 30 years—possibly new vessels now—under conditions which are declared to be undesirable. I also agree that, on the other hand, it would be extremely harsh to compel shipowners to do what was next to impossible with existing vessels, and what might not really be necessary as a matter of health. Well, now, it has been stated by Mr. Hughes, I think, and Mr. Belcher, that they prefer Sir Joseph Ward's proposal to the one that is now before the Conference, and to bring matters to a point, and perhaps to meet the views of both sides, I would suggest that Sir Joseph Ward's motion be slightly altered and read thus: "That the cubic and superficial space for the accommodation of seamen prescribed by Colonial law should apply to existing vessels except in cases where the Minister is satisfied that the arrangements of the vessel are not insanitary, and the character of the structural alterations necessary to comply with the limit would be unreasonable." That meets Mr. Hughes's case as regards not insisting on unreasonable alterations, but it also gives safety against insanitary conditions by specially providing that this permission is not given where the arrangements of the vessel are insanitary. Would that meet the views of the shipowners?

MR. NORMAN HILL: No, I could not except that. That is at once conceding the principle.

SIR WILLIAM LYNE: What principle?

MR. NORMAN HILL: That you are entitled to legislate retrospectively. We want you to accept the principle, if you will, that you cannot legislate retrospectively, but we have built our vessels knowing that we were bound to provide proper accommodation properly lighted and ventilated, and we quite understand that you will enforce that.

SIR WILLIAM LYNE: But my feeling about your resolution was that it is retrospective in the sense that on vessels that exist you have a perfect right under that resolution to have proper sanitary arrangements in every way, and ventilating arrangements if desirable.

MR. NORMAN HILL: That is so, if you are entitled to it.

SIR WILLIAM LYNE: But do you not think that is the principle, to a certain extent, of retrospective legislation?

SIR JOSEPH WARD: It is with a reservation. Your motion has the reservation that I conceive from my point of view to be essential to enable that to be carried out. It says: "That the Governments of Australia and New Zealand, instead of imposing new conditions involving structural alterations as regards accommodation, ventilation, and conveniences of vessels built prior to the enactment of such conditions, would require only such existing vessels as have arrangements which in the opinion of the local authorities are in fact insanitary, to amend the same so as to bring them into a sanitary and healthful condition to the satisfaction of the local authorities."

HON. DUGALD THOMSON: It is a mere verbal objection, I take it, because that puts it in another form which brings it into the same category as regards that objection as the proposal of the shipowners—that is to say, that the cubic and superficial space for the accommodation of seamen prescribed by Colonial law shall not apply to existing vessels (that is your own proposal) except in cases where the Minister is satisfied that the character of the structural alterations necessary to comply with the limit would not be unreasonable and the arrangements of the vessel are not in fact insanitary.

THE CHAIRMAN: You have now got to make it "are."

HON. W. M. HUGHES: With that "not" and the other "not" out, it will be right.

MR. NORMAN HILL: As it reads now, it seems to me to be laying down that the new conditions are the only conditions which will give proper accommodation in the old ships. I want to make it so that there might be

give and take, that the old ships might not be able to give the space but might be able to give better ventilation. Would it not meet the case if the Act were made retrospective only so far as regards ventilation and conveniences?

HON. W. M. HUGHES: I take it that the principle of the proposed Colonial law is this: that it shall apply to all ships. That is, the broad general principle. Now we get some excepting clauses.

HON. DUGALD THOMSON: The recommendation of the Royal Commission is only to apply to Australian ships.

HON. W. M. HUGHES: Or ships trading on the coasts.

HON. DUGALD THOMSON: Yes.

HON. W. M. HUGHES: Quite so; it is only those ships that it will apply to. It shall apply to all ships; but any ship, whether Colonial or British, which can make out a case where the structural alterations would be unreasonable to bring it to the cubic and superficial capacity may be excepted so far as that is concerned, but not so far as the sanitary, the hygienic, and other conditions are concerned.

THE CHAIRMAN: The motion, as it has been altered, meets your point as regards ventilation and conveniences; those are struck out entirely.

HON. W. M. HUGHES: Will you just read it, Mr. President?

THE CHAIRMAN: "That the Governments of Australia and New Zealand, instead of imposing new conditions, involving structural alterations as regards cubic and superficial space accommodation devoted to seamen on vessels built prior to the enactment of such conditions will require only such existing vessels as have accommodation—"

SIR JOSEPH WARD: "Arrangements."

THE CHAIRMAN: I have put in "accommodation" as a consequential alteration after knocking out "ventilation and conveniences"—"as have accommodation which, in the opinion of the local authorities, is in fact insanitary or unhealthful, to amend the same so as to bring it into a sanitary and healthful condition to the satisfaction of the local authorities."

HON. W. M. HUGHES: Whose motion is that?

THE CHAIRMAN: Well, everybody has had a turn at it, but they are Sir Joseph Ward's words.

HON. W. M. HUGHES: I cannot agree to it.

SIR JOSEPH WARD: Might I put this proposition to Mr. Hughes: You are giving power to local authorities where there is insufficient space, where the accommodation is bad, to have alterations made in existing vessels, and you are doing that under this proposal with the full concurrence of the shipowners who are at this Conference. Now, I only put it to you for your consideration, is it not most important in the seamen's interests that where you have unanimity expressed by the shipowners we should take the opportunity of having that put on record in its application to existing vessels, instead of fighting for what we know will be most difficult to get. They are making it a matter for retrospective legislation, which if carried here would be of very little use to any of us. With all deference to you, my opinion is that you should support this; it is a tremendous march forward.

HON. DUGALD THOMSON: If you add the proviso, "not less than 72 feet."

HON. W. M. HUGHES: They cannot be less than 72 feet, because that is the Imperial law. Sir Joseph Ward's original motion is, I think, more satisfactory. I do not like the preamble to that resolution; and I think Sir Joseph Ward's motion is more satisfactory, more to the point. His original motion was—"that the limit of accommodation prescribed by Colonial laws should apply to existing vessels, except in cases where the Minister is satisfied that the character of the structural alterations necessary, in order to comply with the limit, would be unreasonable." Now, I think if you put it this way: "The limit of cubic and superficial space for the accommodation of seamen prescribed by Colonial law