

- (v) *Definition of Industrial Matters.* That this Conference affirms the desirability of defining the industrial matters which should with advantage be referred to the exclusive jurisdiction of the Federal Arbitration Court, and those that should be regarded as within the exclusive jurisdiction of the State Industrial Courts.

§ 13. Interstate Commission.

In accordance with the provisions of the Commonwealth Constitution Act (sections 101 to 104, see page 29), an Act providing for the appointment of the Commission was assented to on the 24th December 1912. The *personnel* of the Commission was, however, not decided until the 11th August, 1913, when Messrs. A. B. Piddington, K.C. (Chief Commissioner), Hon. George Swinburne, and N. Lockyer, C.B.E., I.S.O., were appointed. On the 8th September, 1913, a request was received from the Government of the Commonwealth that the Commission should make an investigation in regard to the Tariff. This investigation was made, and in all 70 reports were issued in connexion therewith. (*Vide* Official Year Book No. 9, p. 1134, and No. 10, p. 1140.)

In January, 1915, complaints were lodged with the Commission in respect to contravention of the provisions of the Constitution relating to trade and commerce. In this connexion, the case of the Commonwealth of Australia *v.* The State of New South Wales and another was subsequently heard before the Commission, but on an appeal to the High Court against its decision it was held that under section 101 of the Constitution the Interstate Commission had not been given judicial powers. It has been announced that the Government proposes to introduce legislation to confer judicial powers on the Interstate Commission.

On the 14th September, 1915, the Minister for Trade and Customs requested the Commission to furnish for the information of Parliament a report as to the new industries which, in its opinion, could with advantage be established in the Commonwealth, and in pursuance of this request such report was prepared and presented.

On the 7th March, 1916, the Commission was entrusted with an enquiry into the subject of British and Australian trade in the South Pacific, with the result that a report was furnished which deals with all factors affecting the progress of the island possessions in which Great Britain and Australia are interested.

On the 19th April, 1916, the Commission was invited by the Postmaster-General, on behalf of the Commonwealth and the several States, to act as arbitrator on the question of charges, etc., by the Railway Commissioners of the States for the carriage of mails. Subsequently sittings were held in this matter and decisions and awards made.

On the 9th August, 1917, the Prime Minister, as the result of complaints made to him, requested the Commission to inquire into the causes of increased prices of food, clothing, house rent, etc. This inquiry is now completed. In connexion with this investigation a regulation under the War Precautions Act was passed to permit each Commissioner to sit alone, and while so sitting to exercise all the powers of investigation conferred by the Interstate Commission Act of 1912.

On the 31st March, 1919, the Commissioners and Mr. Mills, Comptroller-General of Customs, were appointed a Royal Commission to inquire into and report upon the Sugar Industry. The Commission took evidence in Victoria, New South Wales and Queensland, and presented a report dated 27th February, 1920, to His Excellency the Governor-General.

There is at present a vacancy on the Commission, the Hon. George Swinburne having resigned his position thereon.