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## SECTION XXXIV.

## MISCELLANEOUS.

## § 1. Immigration.

## (A) The Encouragement of Immigration into Australia.

1. **Introduction.**—Various measures have from time to time been adopted by the Commonwealth and State Governments, as well as by private societies and individuals, with a view to promoting the immigration of suitable classes of settlers into Australia. Some of the States of the Commonwealth are at present pursuing immigration policies of a vigorous nature; in others, relatively little is being done. The activities of the Commonwealth Government (which is vested with constitutional powers in regard to immigration under Sec. 51, xxvii., of the Constitution Act 1900) with respect to the encouragement of immigration, have hitherto practically been confined to advertising in handbooks, newspapers, and periodicals, the resources and attractions of Australia.

2. **State Immigration.**—The advertising in the United Kingdom of the resources of the individual States has been carried out by their Agents-General in London. Various means have been adopted, including newspaper advertising; the publication of illustrated pamphlets bearing on the resources and principal primary industries of the State; lectures by officers who have a knowledge of the conditions prevailing in the State; official displays at the principal agricultural, manufacturing, and similar exhibitions; cinematographic pictures typical of industrial life and scenic views; and pictures and lantern slides.

(i.) *Nominated and Assisted Passages.* Arrangements have been made by most of the State Governments with several of the principal shipping companies for substantial reductions in the amounts of passage money to be paid by immigrants. These reductions are generally granted to all persons desiring to settle on the land or engaging in any form of rural industry, to domestic servants, and to any others who satisfy one of the several Agents-General in London that they will make suitable settlers. Provision has also been made whereby settlers may nominate their relatives or friends for passage to Australia at greatly reduced rates.

(ii.) *Reception on Arrival.* Immigrants whose coming is advised are met on board the vessel on arrival by Government officers, who make themselves acquainted with the needs of the passengers and assist and advise them in various ways. To those desirous of settling on the land, information and assistance is rendered by officers of the Lands Department, and special concessions are granted in respect of fares on the Government railways. In other cases endeavours are made to obtain employment for each applicant according to his special needs and qualifications.

(iii.) *Numbers of Immigrants.* Particulars of the net immigration to the Commonwealth are given on pages 100 and 107, and of assisted immigration on page 112, hereinbefore.

(iv.) *Recent Immigration.* During 1910 and the three subsequent years, a great advance has been made in Australian immigration generally, the State Governments having adopted more active and direct means than had hitherto existed for making the advantages and opportunities of their respective States better known to the people of the United Kingdom, Europe, and America. In Victoria, to which State a small number of emigrants from America had been attracted (chiefly by the irrigable areas), it was decided to further enlighten American and Canadian home-seekers with regard to irrigated lands, and a delegation was accordingly sent to Vancouver by the Victorian Government to arrange for a special excursion of land-seekers, who arrived in Australia early in May, 1912. Many of them have since taken up land in the irrigable areas and other portions of the State. It appears likely that the success of the Victorian experiment will result in definite steps being initiated by the other States of the Commonwealth to attract population from similar sources.

(v.) *Uniform Rates for State-aided Immigrants.* The matter of State-aided immigration to Australia was discussed at the Premiers' Conference, held in Melbourne early in 1912, and this resulted, amongst other things, in the fixing of a scale of minimum rates of passage money which immigrants to any of the States would be charged in future, such rates to operate as from 31st March, 1912. It was expressly agreed, however, that, while no State should charge a lower amount than those mentioned, no objection would be made to higher rates being imposed. The minimum scale of passage rates arranged at the Conference is as follows:—(a) Farmers, farm hands, skilled artisans, and all nominated, assisted, or indentured male immigrants, £6. (b) Adult females, £3. (c) Children of immigrants under 12 years of age, £1 10s. Age limits for all State-aided immigrants were also fixed as follows:—(a) Males, married women and widows, 45 years. (b) Single women, 35 years. The only free immigrants to be those whom the shipping companies carry free. It was also arranged that the maximum bonus payable to immigration agents be as follows:—(a) Per adult, £1; per child under 12 years, 10s. (b) In the case of an assisted immigrant recruited by an agent nominating his wife and family within twelve months of his arrival in the State, a similar bonus on account of the wife and family be paid to the agent. (c) In the cases of immigrants with capital of £200 and over, which capital is deposited with the Agent-General for transmission to the State, an additional bonus of 1 per cent. to the agent on the capital so deposited.

**3. Initiation of Commonwealth Scheme.**—For the financial year 1912-13 a sum of £50,000 was voted to the Commonwealth Department of External Affairs for advertising the attractions of Australia for settlers, farm workers, and tourists. The State Immigration Bureaux co-operate with the Department of External Affairs in keeping the High Commissioner for Australia in London advised as to the openings for agricultural workers, and as to general information concerning matters of interest to intending settlers. A press advertising campaign has been initiated, the Commonwealth carrying on the general advertising of Australia by means of paragraphs and illustrated articles in British, European, and American publications, while the several States advertise for the class of immigrants they specially require. Bioscope films are utilised for the illustration of lectures. Exhibitions are held throughout the chief rural districts and at the important agricultural shows in Great Britain, and handbooks for settlers and tourists, as well as folders and other publications, have been issued. Pictorial posters are also utilised.

**4. The High Commissioner for Australia and the Agents-General.**—Intending settlers or immigrants may, on application, obtain information from the High Commissioner for Australia—

THE RIGHT HON. SIR G. H. REID, P.C., G.C.M.G., ETC.  
COMMONWEALTH OFFICES,  
72 VICTORIA STREET,  
LONDON, S.W.

Information regarding individual States may be obtained from the officials specified below :—

**AUSTRALIAN AGENTS-GENERAL.**

<i>New South Wales</i>	Sir T. A. COGHLAN ...	123-125 Cannon St., London, E.C.
<i>Victoria</i> ...	Hon. PETER MCBRIDE ...	Melbourne Place, Strand, London
<i>Queensland</i> ...	Major Sir T. B. ROBINSON,	Marble Hall, 409-10, Strand, London
<i>South Australia</i>	HON. A. A. KIRKPATRICK ...	85 Gracechurch St., London, E.C.
<i>Western Australia</i>	Sir NEWTON J. MOORE,	
	K.C.M.G. ...	15 Victoria St., Westminster, London
<i>Tasmania</i> ...	Hon. SIR J. MCCALL, M.D.	56 Victoria St., Westminster, London

**(B) The Regulation of Immigration into Australia.**

1. **Pre-Federal Restrictions.**—(i.) *Alien Races.* The several States of Australia had regarded it as desirable, long prior to Federation, to impose certain restrictions upon the admission of persons wishing to become inhabitants of those States. The influx of Chinese, for example, was limited by stringent statutes, and later general Acts were passed in some of the States which had the effect of restricting the immigration of other—principally Asiatic—races.

(ii.) *Undesirable Immigrants.* Further restrictions were placed upon the admission of persons who were undesirable as inhabitants, either for medical or moral reasons, or who were likely to be an economic burden upon the community.

2. **Powers and Legislation of the Commonwealth.**—(i.) *Constitutional Powers.* By Chap. I., Pt. V., Sec. 51, xxvii. and xxviii. of the Commonwealth Constitution Act the Parliament of the Commonwealth is empowered to make laws with respect to immigration and emigration and the influx of criminals. (See page 26 herein.)

(ii.) *Legislation.* The powers above specified have now been exercised by the Commonwealth Government, and the laws passed in pursuance thereof supersede the State laws above referred to.

The first Act passed, dealing with this matter, was the Immigration Restriction Act 1901, which contained provisions restricting the immigration of the classes of persons mentioned above. This Act, which contained clauses restricting the immigration of persons under contract, was subsequently repealed by the Contract Immigrants Act 1905, which amended and was substituted for the original Act, but both these Acts have since been amended by the Immigration Restriction Acts of 1908 and 1910, and the Immigration Act of 1912. The immigration of alien races and undesirable persons is now regulated by Immigration Acts 1901-12. Admission of immigrants under contract to perform manual labour is, however, still controlled by the provisions of the Contract Immigrants Act 1905, and will be permitted if the contract is in writing, is made by or on behalf of some person named, who must be resident in Australia, and approved by the Minister. Such approval will not be given if the contract is made with the view of affecting an industrial dispute or if the remuneration and other terms are not as advantageous to the contract immigrant as those current for workers of the same class at the place where the contract is to be carried out.

There is an additional provision where the proposed immigrant is not a British subject born in the United Kingdom or descendant of such a person. In such case it has to be proved that there is a difficulty in the employers obtaining in the Commonwealth a worker of at least equal skill and ability.

In case of infraction of the law it is provided that the contract is absolutely void and the immigrant and employer are both liable to penalties, and the employer is also liable to pay the immigrant until he obtains employment, or, at the option of the immigrant, to provide expenses for his return to the country whence he came.

**3. Prohibited Immigrants.**—(i.) *Provisions of the Acts.* Persons comprised in the following classes are prohibited from entering the Commonwealth, viz. :—(a) Any person who fails to pass the dictation test ; that is to say, who fails to write out not less than fifty words of a language prescribed by regulation when dictated to him by an officer administering the Act. (b) Any person not possessed of the prescribed certificate of health. (c) Any idiot, imbecile, feeble-minded person, or epileptic. (d) Any person suffering from a serious transmissible disease or defect. (e) Any person suffering from pulmonary tuberculosis, trachoma, or with any loathsome or dangerous communicable disease, either general or local. (f) Any person suffering from any other disease or mental or physical defect, which from its nature is, in the opinion of an officer, liable to render the person concerned a charge upon the public or upon any public or charitable institution. (g) Any person suffering from any other disease, disability, or disqualification which is prescribed. (ga) Any person who has been convicted of a crime and sentenced to imprisonment for one year or more, unless five years have elapsed since the termination of the imprisonment. (gb) Any person who has been convicted of any crime involving moral turpitude, but whose sentence has been suspended or shortened conditionally on his emigration, unless five years have elapsed since the expiration of the term for which he was sentenced. (gc) Any prostitute, procurer, or person living on the prostitution of others.

Regarding (a) it may be stated that the Act of 1901 provided for the dictation of not less than fifty words of a European language. The Act of 1905 provided for the retention of this test until regulations be passed prescribing the languages to be employed. No such regulations have yet been made, and the provision of the Act of 1901 is therefore *de facto* still in force. It may be stated that in general practice the dictation test is not and never has been imposed upon persons of European race.

Regarding (b), the Amending Act of 1912 provides for the establishment of Commonwealth Medical Bureaux at places outside the Commonwealth, and the appointment of medical referees to examine intending immigrants and issue certificates of health in the prescribed form, on payment of a prescribed fee. A chief medical officer has already been appointed to take charge of the Bureaux attached to the High Commissioner's Office in London. He will arrange for the selection of suitable medical referees for appointment to act at various centres throughout the United Kingdom.

Provision is also made for the medical examination of, and the issue of certificates of health to intending immigrants who embark at a port where there is no medical referee, or who arrive in the Commonwealth without a certificate in the prescribed form.

Pending the proper organisation in the United Kingdom of the Medical Bureaux and the appointment of medical referees, the requirement that immigrants must produce a certificate of health on arrival in Australia will not be enforced.

(ii.) *Exemptions.* To these restrictions there are the following exemptions, viz. :—(a) Any person holding an exemption certificate. (b) Members of the King's regular land and sea forces. (c) The master and crew of any public vessel of any Government. (d) The master and crew of any other vessel landing during the stay of the vessel in a Commonwealth port. The exemption of members of a crew during the vessel's stay in port is subject to the production of identification cards to an officer on demand. This provision will not be enforced in respect of white members of a crew, but there is a further provision which empowers an officer to refuse any member of a crew permission to land unless he is satisfied that such person is free from a communicable disease. Before the ship can obtain her outward clearance the crew must, at the demand of an officer administering the Act, be mustered, and if any member of the crew be missing,

and would otherwise, in the opinion of the officer, have been a prohibited immigrant, then such person is deemed to be a prohibited immigrant, and until the contrary be proved, to have entered the Commonwealth contrary to the Act. (e) Any Commissioner of, or other person accredited from, the Imperial or any other Government.

(iii.) *General Provisions.* An immigrant may be required to pass the dictation test at any time within two years after he has entered the Commonwealth. This applies particularly to coloured persons, but any immigrant found within three years of entering the Commonwealth to be suffering from a prohibitory disease or defect may be deemed to be a prohibited immigrant unless it is proved to the Minister's satisfaction that he was free from the disease or disability at the time of his arrival in Australia.

A prohibited immigrant within the meaning of (a) above may, at the discretion of an officer, be allowed to enter the Commonwealth, or to remain within it, upon depositing £100 and within thirty days either obtaining an exemption certificate or departing from the Commonwealth; in either case the deposit is returned.

The punishment for breach of the Act by a prohibited immigrant is imprisonment for six months and deportation in addition to or in substitution for such imprisonment, if so ordered.

**4. Liability of Shipmasters and Others.**—The master, owners, agents, and charterers of a vessel from which a prohibited immigrant enters the Commonwealth are jointly and severally liable to a penalty not exceeding £100 for each entrant. The vessel may be detained as security, but may be released upon the giving of a bond with two sureties for the payment of any penalties; the vessel may be seized and sold in default of payment of penalties. The master, owners, agents, and charterers may be required to provide a return passage for the prohibited immigrant, and to pay for his maintenance during his detention prior to deportation. Masters of vessels are authorised to prevent such a person from landing and to obtain any necessary assistance.

Under the Immigration Restriction Act 1908, any person on board a vessel at the time of her arrival from any place outside Australia at any port in Australia who is not (a) a *bonâ fide* passenger of the vessel, or (b) a member of the crew of the vessel whose name is on the articles, is deemed to be a stowaway, unless the master gives notice that the person is on board the vessel, and does not permit him to land until an officer has had an opportunity of satisfying himself that the person is not a prohibited immigrant. The master, owners, agents, and charterers of a vessel are jointly and severally liable to a penalty of £100 for each stowaway brought in to any port in Australia. The Immigration Act 1912 provides for a penalty of £200 for each stowaway in cases where the master has been convicted of a similar offence within the preceding twelve months. Power is given to search vessels for stowaways. The Immigration Restriction Act 1910 provides penalties for being concerned in bringing immigrants secretly to the Commonwealth.

**5. Agreements with other Countries.**—Arrangements may be made with the Government of any country regulating the admission into Australia of the subjects or citizens of such country, such subjects not being, during the subsistence of the arrangement, required to pass the dictation test.

Persons who have resided either continuously or from time to time in the Commonwealth for a period of five years in the whole, and who are about to depart from it, being persons who, if they return, would be prohibited immigrants, may obtain a certificate of exemption entitling them to return.

Certificates of exemption are granted by the Minister of External Affairs, whose department administers the Act, and also by the Collector of Customs in each State.

**6. Statistics.**—The following tables shew the number of persons who desired but were not permitted to land, those who were allowed to land, and the nationality of the persons admitted.

**PERSONS ADMITTED OR REFUSED ADMISSION TO COMMONWEALTH UNDER  
PROVISIONS OF IMMIGRATION RESTRICTION ACT, 1905 to 1913.**

Year.	Persons Admitted who Passed Education Test.	Persons Admitted without Passing Education Test.	Persons Refused Admission.
1905 ...	3	47,940	106
1906 ...	Nil	57,646	53
1907 ...	Nil	72,089	62
1908 ...	1	75,670	108
1909 ...	1	83,324	108
1910 ...	...	94,543	42
1911 ..	Nil	139,020	83
1912 ...	Nil	163,990	187
1913 ...	Nil	140,251	109

**NATIONALITY OF PERSONS ADMITTED, 1905 to 1913.**

Nationality.	1905.(a)	1906.(b)	1907.(b)	1908.(a)	1909.(a)	1910.(b)	1911.(b)	1912.(b)	1913-b
	Without Test.	Without Test.	Without Test.	Without Test.	Without Test.	Without Test.	Without Test.	Without Test.	Without Test.
<b>EUROPEANS—</b>									
Austrians ...	683	691	651	736	895	815	1,184	855	794
Belgians ...	25	33	64	45	35	50	84	95	63
British ...	39,975	47,396	60,172	64,374	71,201	81,457	124,061	146,602	132,443
Danes ...	125	259	280	227	272	269	393	371	444
Dutch ...	43	91	94	120	187	175	307	435	288
French ...	1,402	1,866	1,685	1,546	1,347	1,160	1,166	1,238	1,491
Germans ...	926	1,339	1,909	1,911	2,109	2,449	2,517	3,501	3,155
Greeks ...	121	240	202	296	327	380	583	736	480
Italians ...	734	839	992	902	1,078	883	1,365	1,632	1,963
Maltese ...	...	...	...	...	...	...	41	123	193
Poles ...	13	5	6	22	24	11	34	17	7
Portuguese ...	2	3	6	5	10	3	6	9	25
Rumanians ...	...	...	...	12	11	3	13	24	9
Russians ...	157	293	388	349	465	735	994	1,159	1,334
Scandinavians ...	281	776	1,173	825	891	1,210	1,384	1,303	1,285
Spaniards ...	35	32	187	57	56	49	128	118	116
Swiss ...	63	68	78	78	131	109	130	209	202
Turks ...	3	8	6	4	14	10	10	6	5
Other Europeans (c) ...	17	18	29	112	16	22	27	(d)57	5
<b>AMERICANS—</b>									
N. Americans ...	603	867	889	687	692	746	914	1,386	1,713
S. Americans ...	...	12	15	10	14	13	17	37	14
American Indians ...	...	...	...	...	...	...	31	9	...
Negroes ...	15	4	9	4	6	14	13	47	7
West Indians ...	3	...	13	23	6	13	11	8	1
<b>ASIATICS—</b>									
Afghans ...	7	3	9	15	3	2	14	17	7
Arabs ...	3	...	8	13	1	1	1	18	14
Burmese ...	...	...	...	...	1	...	...	...	1
Chinese ...	1,269	1,134	1,424	1,771	1,729	1,817	2,009	2,250	2,286
Cingalese ...	15	6	12	10	10	14	4	17	8
East Indians ...	...	...	...	...	...	...	...	...	...
Eurasians ...	...	...	...	...	6	14	7	13	...
Filipinos ...	74	120	57	27	37	66	17	13	12
Hindoo ...	146	75	129	74	130	156	188	157	187
Japanese ...	281	356	521	555	509	610	459	698	822
Javanese ...	62	52	1	...	52	4	12	6	3
Malays ...	289	436	370	230	309	304	479	326	303
Syrians ...	51	66	58	45	73	95	104	75	51
<b>OTHER RACES—</b>									
Maoris ...	1	2	8	48	108	62	31	32	41
Mauritians ...	...	156	...	3	94	4	9	2	7
Pacific Islanders ...	98	...	131	89	94	54	69	92	105
Papuans ...	415	368	493	450	439	622	139	196	171
St. Helena Blacks ...	...	...	...	1	1	...	...	...	...
Unspecified ...	33	32	30	14	31	141	(e)65	102	(f) 214
Total ...	47,940	57,646	72,089	75,670	83,324	94,543	139,020	163,990	140,251

(a) Three persons were admitted, after passing the test, in 1905, and one in each of the years 1908 and 1909. (b) No persons were admitted after passing the test in this year. (c) Not specified. (d) Bulgarians. (e) Including 63 Timorese. (f) Including 142 Timorese.

The following table has been prepared, shewing to what extent immigration has taken place into the several States of the Commonwealth from 1905 to 1913:—

**IMMIGRATION INTO THE SEVERAL STATES OF THE COMMONWEALTH, 1905-1913.**

Year.	N.S.W.	Victoria.	Q'land.	S. Aust.	W. Aust.	Tas.	N.T.	C'wealth.
1905	28,323	9,545	1,946	1,843	4,386	1,718	179	47,940
1906	35,987	10,555	2,459	1,909	4,798	1,801	137	57,646
1907	46,022	12,314	3,862	2,544	4,839	2,380	128	72,089
1908	48,068	12,840	4,474	2,788	5,142	2,171	187	75,670
1909	51,170	13,602	6,720	3,169	6,343	2,172	148	83,324
1910	53,029	14,942	10,353	3,988	9,881	2,168	182	94,543
1911	69,640	21,488	17,778	7,039	18,386	4,563	126	139,020
1912	86,239	34,568	11,820	10,035	16,624	4,480	224	163,990
1913	73,946	29,121	10,496	8,220	15,985	2,350	133	140,251

**§ 2. Patents, Trade Marks, and Designs.**

**1. Devolution of Jurisdiction upon the Commonwealth.**—Prior to the establishment of Federation, and for a few years thereafter, each Australian State possessed independent jurisdiction in respect of patents, copyrights, trade marks, and designs, and had, with the exception of Tasmania in regard to copyrights, enacted its own laws. Any person, therefore, who desired to obtain the grant of a patent, or the registration of any copyright, trade mark, or design had necessarily, with the exception aforesaid, to incur the trouble and expense of making separate applications. The Commonwealth Constitution Act conferred upon the Federal Parliament power to legislate respecting these matters. (See page 26 hereinbefore.) The Patents Act of 1909 applied the laws relating to patents for inventions to the Territory of Papua.

The State Acts, though in general based upon the Imperial Statutes dealing with these subjects, were not wholly governed by them. The Commonwealth Acts, both in regard to principle and practice, have the same general foundation as the Imperial Statutes, but in some respects have been modified and brought into line with the totality of Australian experience.

**2. Patents.**—The first Commonwealth Patents Act was passed in 1903, and was amended in 1906, 1909, and 1910. (See page 44 hereinbefore.) Under these Acts, which are administered by a "Commissioner of Patents," the powers and functions vested under the States Acts became vested in the Commonwealth. A single Commonwealth patent now gives throughout the Commonwealth and the Territory of Papua that protection which formerly could only be obtained by procuring a patent in each State and the said Territory. The rights of State patentees or the patentees in the Territory of Papua are in all cases reserved to them. The holder of a State patent in force may obtain, for period not exceeding the unexpired time thereof, a Commonwealth patent for the invention comprised in the State patent, provided however, that any State other than the State in which the patent under the States Patent Act was granted may be excepted from the patent if the Commissioner of Patents is satisfied that the invention either (a) is not novel, (b) has been made the subject of a pending application, or (c) has been published, in such State. Comparatively small fees, totalling £8, are now sufficient to obtain for an inventor protection throughout the Commonwealth and the Territory of Papua, and the only renewal fee (£5) is payable before the expiration of the seventh year of the patent, or within such extended time, not exceeding one year, and upon payment of further fees as may be allowed.



(i.) *Applications for Patents.* Any of the following persons may make application for a patent:—(a) The actual inventor. (b) His assignee, agent, attorney, or nominee. (c) The actual inventor or his nominee jointly with the assignee of a part interest in the invention. (d) The legal representative of a deceased actual inventor or of his assignee. (e) Any person resident in the Commonwealth to whom the invention has been communicated by the actual inventor, his legal representative, or assignee (if the actual inventor, his legal representative, or assignee is not resident in the Commonwealth). An application for a patent must be for one invention only, and must be made in the form prescribed, and lodged by being left at or sent by post to the Patent Office at Melbourne. It must be accompanied by either a provisional or a complete specification. The application must contain a declaration in the prescribed form setting out the facts relied on to support the application, and must be signed by the applicant before a witness.

(ii.) *Term for which Granted.* The term for the duration of every patent is limited to fourteen years from the date of application. A patent ceases if the patentee fails to pay the renewal fee within the prescribed time.

(iii.) *Opposition to Grant of Patent.* Within three months of the advertisement of the acceptance of a complete specification, or within such further time, not exceeding one month, as the Commissioner on application made within the three months allows, any person may give notice at the Patent Office of opposition to the grant on any of the following grounds:—(a) That the applicant has obtained the invention from the opponent or from a person of whom he is the legal representative or assignee or nominee. (b) That the invention has not been communicated to the applicant by the actual inventor, his legal representative or assignee (if the actual inventor, his legal representative or assignee is not resident in the Commonwealth). (c) That the invention has been patented in the Commonwealth on an application of prior date or has been patented in a State. (d) That the complete specification describes or claims an invention other than that described in the provisional specification, and that the opponent has applied for a patent for such other invention in the interval between the leaving of the provisional and complete Specifications. (e) Want of novelty. (f) Prior publication.

The case is heard and decided by the Commissioner, from whose decision an appeal lies to the High Court or to the Supreme Court of the State in which the Patent Office is situated.

(iv.) *Single Patent for Cognate Inventions, etc.* The provisions of the Act relative to single patents for cognate inventions, patents of addition and revocation of patents will be found in detail in previous issues of the Year Book. (See No. 6, p. 1163.)

(v.) *Compulsory Working and Licenses.* At any time not less than four years after the date of a patent, and not less than two years after the 13th December, 1911, any person may apply to the High Court or the Supreme Court of the State in which the Patent Office is situated for an order declaring that the patent article or process is not manufactured or carried on to an adequate extent in the Commonwealth. From and after the time when any such order may take effect, the patent is not deemed to be infringed by the manufacture or carrying on in the Commonwealth of the patented article or process, or by the vending within the Commonwealth of the patented article made within the Commonwealth. Any person interested may, after the expiration of two years from the granting of the patent, present a petition to the Commissioner alleging that the reasonable requirements of the public with respect to a patented invention have not been satisfied and praying for the grant of a compulsory license or, in the alternative, for the revocation of a patent. If the parties do not come to an arrangement between themselves, the Commissioner, on being satisfied that a *prima facie* case has been made out, must refer the petition to the High Court or the Supreme Court of the State in which the Patent Office is situated. If the Commissioner is not satisfied that a *prima facie* case has been made out he may dismiss the petition.

(vi.) *Restoration and Surrender of Patents, and Contracts and Proceedings.* The provisions of the Act with reference to restoration and surrender of patents, contracts, etc., are given in detail in previous issues of the Year Book. (See No. 6, p. 1164).

(vii.) *International Protection of Patents.* The Patents Act contains provisions under which the international arrangements for the protection of patents contained in the Imperial Acts could be made applicable to the Commonwealth by order of the King-in-Council. Applicants for patents, subject to the country in which first application is made being a party to the arrangement, are now, if they apply in Australia within twelve months of their first foreign application, entitled to make application for patents for their inventions in priority to other applicants, and such patents have the same date as the date of the first application abroad. Corresponding arrangements have also been made by the Commonwealth with New Zealand.

(viii.) *Patent Attorneys.* Any person on passing the prescribed examination, and on paying a fee of £5, may be registered by the Commissioner as a patent attorney. A solicitor may practise as a patent attorney without passing the prescribed examination and without being registered as a patent attorney. No person may describe himself as a patent attorney, or as a patent agent, or as an agent for obtaining patents unless he is registered or entitled to practise as a patent attorney.

(ix.) *Patent Office Publications.* Complete specifications are printed shortly after they become open to public inspection by advertisement of acceptance, or under Section 121 of the Act, provided the complete specification is not accepted and advertised. Each specification is open to public inspection. A number of publications, of which a list may be found in the Australian Official Journal of Patents, is on sale at the Government Printing Office, Melbourne.

The *Australian Official Journal of Patents* is issued weekly, and contains lists of applications and proceedings, with illustrated notes of accepted complete specifications. A supplementary annual volume contains statistics, indexes to names of persons concerned, classified indexes to subject matter of applications lodged, and a numerical index to proceedings on Commonwealth applications which have been advertised during the year; there are also names and number indexes to proceedings on State applications.

(x.) *Applications Filed, Provisional Specifications Accepted, and Letters Patent Sealed.* The numbers of individual inventions in respect of which applications were filed in the States or Commonwealth during each year from 1907 to 1913 inclusive are shewn in the following table. The number of applications accompanied by provisional specifications and the number of patents sealed in respect of applications made in each year are also shewn.

**PATENTS.—APPLICATIONS FILED AND LETTERS PATENT SEALED IN THE COMMONWEALTH, 1907 to 1913.**

Year ... ..	1907.	1908.	1909.	1910.	1911.	1912.	1913.
No. of Applications ... ..	2,903	2,840	3,309	3,605	3,497	4,071	4,163
... .. accompanied by provisional specifications ... ..	1,678	1,811	2,165	2,294	2,290	2,273	2,626
Letters patent sealed during each year ... ..	1,402	1,630	1,269	1,552	2,027	1,502	1,495*

\* Up to the 30th December, 1913.

(xi.) *Revenue of Patent Office.* The revenue of the Commonwealth Patent Office for each year from 1907 to the end of the year 1913 is shewn in the subjoined table:—

**REVENUE OF COMMONWEALTH PATENT OFFICE, 1907 to 1913.**

Particulars.	1907.	1908.	1909.	1910.	1911.	1912.	1913.
Fees collected under	£	£	£	£	£	£	£
States Patents Acts ...	3,746	2,006	1,703	1,940	768	118	50
Patents Acts 1903-10 ...	13,612	14,146	14,087	17,042	19,640	18,542	18,800
Receipts from publications ...	155	146	216	208	237	305	283
Petty receipts ...	34	32	33	33	48	50	49
<b>Total ...</b>	<b>17,547</b>	<b>16,330</b>	<b>16,039</b>	<b>19,223</b>	<b>20,693</b>	<b>19,015</b>	<b>19,182</b>

**3. Trade Marks.**—The remarks made concerning the unification of the patent system of the Commonwealth apply equally to trade marks. Under the Trade Marks Act 1905, which came into force on the 2nd July, 1906, the Commissioner of Patents is appointed to act also as “Registrar of Trade Marks.” The Trade Marks Act of 1905 was amended by the Patents, Trade Marks, and Designs Act 1910, assented to on the 14th November, 1910, and by the Trade Marks Act 1912, and is now cited as The Trade Marks Act 1905-1912. The principal objects of the amending Act were to enlarge the scope of marks capable of registration, and repeal the provisions of the Act of 1905 relating to the “Workers Trade Mark,” the provisions regarding which were held to be unconstitutional. Special provisions for the registration of a “Commonwealth Trade Mark” are contained in the Act of 1905 and are applicable to all goods included in or specified by a resolution passed by both Houses of Parliament that in their opinion the conditions as to remuneration of labour in connection with their manufacture are fair and reasonable.

(i.) *Essential Particulars of Trade Marks.*—

Section 15. “A registrable trade mark shall consist of essential particulars with or without additional matter.”

Section 16. (1) “A registrable trade mark must contain or consist of at least one of the following essential particulars:—(a) The name of a company, individual, or firm represented in a special or particular manner; (b) the signature of the applicant for registration or some predecessor in his business; (c) an invented word or invented words; (d) a word or words having no direct reference to the character or quality of the goods, and not being according to its signification a geographical name or a surname; (e) any other distinctive mark, but a name, signature, or word or words, other than such as fall within the descriptions in the above paragraphs (a), (b), (c) and (d) shall not, except by order of the Registrar, Law Officer, or Court, be deemed a distinctive mark.”

(2) “For the purposes of this section ‘distinctive’ means adapted to distinguish goods of the proprietor of the trade mark from those of other persons.”

(3) “In determining whether a trade mark is so adapted, the Registrar, Law Officer, or Court may, in the case of a trade mark in actual use, take into consideration the extent to which such user has rendered such trade mark in fact distinctive for the goods with respect to which it is registered or proposed to be registered.”

(ii.) *State Registrations.* State registrations cease to be in force at the expiration of fourteen years from the date of the Commonwealth Act, or at the time when, under the State Trade Marks Act, the trade mark would, if after the commencement of the Commonwealth Act no fee for the continuance of its registration were paid, first become liable to removal from the register, whichever first happens. It is also provided that no fee shall be receivable nor shall any act be done after the commencement of the Commonwealth Act for the continuance of the registration of a trade mark under a State Act. Commonwealth registration of a State registered mark may be effected, and the fact of its registration in a State prior to the coming into force of the Commonwealth Act, may entitle the registered proprietor in the State to Commonwealth registration, notwithstanding the existence of defects which might be ground for refusal of an application for the registration of a new trade mark.

(iii.) *Duration of Registration and General Provisions.* The registration of a trade mark is for a period of fourteen years, but may be renewed from time to time. International and intercolonial arrangements for the mutual protection of trade marks may be made in a manner similar to that provided for the protection of patents. In this regard Australia has become a party to the International Convention for the protection of industrial property. Registration may be opposed by any person lodging a notice of opposition at the Trade Marks Office within three months after the advertisement of the application, or such further time, not exceeding three months, as may, on application made within the first three months, be allowed.

(iv.) *Publications.* The *Australian Official Journal of Trade Marks* is issued weekly, and contains lists of applications and proceedings, with representations of marks (when accepted) sought to be registered. *Designs.* Lists of registered owners of designs and the subject matter of applications are published weekly in the official Journal of Trade Marks. Indexes to names of applicants and subject matter of applications are compiled and are on sale.

4. *Designs.*—The Designs Act of 1906 came into operation on the 1st January, 1907, being subsequently amended by the Patents, Designs and Trade Marks Acts 1910, and the Designs Act 1912, and is now cited as the Designs Act 1906-12. Under this Act a Commonwealth Designs Office has been established and the Commissioner of Patents appointed "Registrar of Designs."

(i.) *Registration.* Any new and original design which has not been published in Australia before the lodging of an application for its registration may be registered in respect of all or any of the articles enumerated in the classification contained in the regulations, which comprise jewellery, paperhangings, carpets, floor-cloths, lace, hosiery, millinery, wearing apparel, textile fabrics, bookbinding, and articles composed wholly or chiefly of a variety of solid substances. A separate application must be made in respect of each class in which the owner of the design desires it to be registered. After an application for the registration of a design has been lodged the design may be published and used without prejudice to the validity of the registration.

(ii.) *Duration of Copyright in Designs.* The registration takes effect as from the date of the lodging of the application, and, subject to the provisions of the Act, remains in force for a period of five years from that date. Provision is made by the amending Act of 1912 for an extension of the period of registration to 15 years, subject to applications for extension being made and the prescribed fees paid before the expiration of 5 and 10 years respectively. The owner of a registered design must within two years after registration, substantially use the design, or cause it to be used, in Australia, and if he fails to do so the copyright ceases. If, however, such design is used in any manufacture abroad, the above period is limited to six months.

(iii.) *General.* The Act also contains provisions regarding the remedies for infringement of designs and the rectification of the register. Arrangements for the international and intercolonial protection of copyright in designs were made by the same proclamation referred to above with regard to patents and trade marks. The owner of a registered design must cause each article to which the design is applied to be marked before delivery for sale with the prescribed mark to denote that the design is registered.

5. **Applications for Trade Marks and Designs.**—The following table gives particulars of trade mark and design applications received and registered under the Commonwealth Acts from 1908 to 1913 inclusive:—

**TRADE MARK AND DESIGN APPLICATIONS RECEIVED AND REGISTERED  
UNDER COMMONWEALTH ACTS, 1908 to 1913.**

Applications.	1908.	1909.	1910.	1911.	1912.	1913.
<b>RECEIVED.</b>						
Trade Marks ... ..	1,580	1,688	1,729	1,977	1,803	1,957
Designs ... ..	155	187	186	203	235	301
<b>REGISTERED.</b>						
Trade Marks ... ..	3,150	1,455	1,190	1,323	1,389	1,468
Designs ... ..	180	166	160	180	211	281

The following table shows the revenue of the Trade Mark and Design Office during the years 1910 to 1913:—

**REVENUE OF TRADE MARK AND DESIGN OFFICE, 1910 to 1913.**

Particulars.	1910.			1911.			1912.			1913.		
	Trade Marks. £	Desig's £	Publi- cations £	Trade Marks. £	Desig's £	Publi- cations £	Trade Marks. £	Desig's £	Publi- cations £	Trade Marks. £	Desig's £	Publi- cations £
Fees collected under State Acts ... ..	164	...	...	56	...	...	67	...	...	38	...	...
Fees collected under Commonwealth Acts ... ..	4,655	171	90	5,018	180	127	5,012	198	98	5,260	293	123
<b>Total ... ..</b>	<b>4,819</b>	<b>171</b>	<b>90</b>	<b>5,074</b>	<b>180</b>	<b>127</b>	<b>5,079</b>	<b>198</b>	<b>98</b>	<b>5,298</b>	<b>293</b>	<b>123</b>

### § 3. Copyright.

1. **Copyright Legislation.**—Prior to the 1st January, 1907, the date on which the Commonwealth Copyright Act of 1905 came into operation, the subject of copyright was regulated by the laws of the separate States. In general, the State Laws were under the like provisions of the Imperial Copyright Law, including the Law of 1842 and the earlier unrepealed or subsequent Acts, the most important of which were the Colonial Copyright Act 1847 and the International Copyright Act of 1886. They were also generally included under British international relations embracing the Berne-Paris provisions of the International Copyright Union and the reciprocal relations with the United

States of America, but, with the exception that in the Austria-Hungary Treaty, New South Wales and Tasmania were not parties, because they did not exercise the right of ratification especially reserved to individual colonies.

Though the Commonwealth Copyright Act of 1905 took the place of the State Copyright Acts formerly in force, it left unaffected existing rights under the State Laws, but transferred the administration thereof to the Commonwealth. Provision was also made under the Law of 1905 for the registration of International and State Copyrights. In order to obtain local, as distinguished from British or Imperial, protection, the Act required that a book must have been "printed from type set up in Australia, or plates made therefrom, or from plates or negatives made in Australia in cases where type is not necessarily used," and published in Australia, after the commencement of the Act, before or simultaneously with its first publication elsewhere. The "Common Law of England" was specifically applied to unpublished literary compositions. Artistic works were not protected in Australia under either the Commonwealth Act of 1905 or Imperial Law unless "made in Australia."

Copyright in the case of literary works endured for a period of forty-two years from the date of first publication, or the life of the author or the last surviving joint-author and seven years thereafter, whichever was the longer. If, however, first publication of a book took place after the death of the author the duration of copyright was limited to *forty-two years*. *Performing right and lecturing right subsisted separately for a like period from first public performance or delivery simultaneously with first public performance or delivery elsewhere.* But the lecturing right ceased when the lecture was published as a book. Copyright in artistic works subsisted for the term of forty-two years from the date of the making thereof, or for the author's life and seven years, whichever was the longer.

Provision was also made for the assignment of copyright, performing right, and lecturing right, either wholly or in part, and either generally or limited to any particular place or period, and owners of any of the rights specified could grant any interest therein by licence; but such an assignment or grant would not be valid unless it was in writing, signed by the owner of the right.

The Act of 1905 prohibited the importation of all pirated books or artistic works "in which copyright is subsisting in Australia (whether under this Act or otherwise)," and provided for the forfeiture of such works, on condition of written notice of the copyright by the owner of the copyright or his agent to the Minister, directly or through the Commissioners of Customs of the United Kingdom.

Registration of any copyright, performing right, or lecturing right was required as a prerequisite for legal action, but copyright and performing right existed, and in some cases could be enforced, without registration.

2. **The Copyright Act of 1912.**—The Copyright Act of 1905 was repealed by the Copyright Act of 1912, which was assented to and became operative on 20th November, 1912. Subject to modifications relating to procedure and remedies, the Commonwealth Law of 1912 adopted the British Copyright Act of 1911, and declared the latter law to be in force within the Commonwealth as from the 1st July, 1912. The British Act extends throughout the whole of His Majesty's dominions, but is not to be in force in a self-governing dominion unless enacted by the legislature thereof either in full or with modifications relating exclusively to procedure and remedies necessary to adapt the Act to the circumstances of the dominion.

Under the Commonwealth Law of 1912, copyright subsists in "every original literary, dramatic, musical, and artistic work," first published within parts of His Majesty's dominions to which the British Copyright Act of 1911 extends, and in the case of an unpublished work, the author of which was "at the date of the making of the

work," a British subject or a resident domiciled within the aforesaid parts of His Majesty's dominions (or under protection through international copyright provisions). The old Common Law right is abrogated by the Act of 1912, and all copyright property is now the creature of statute from the date when it takes shape, either written in words or in some other material form.

Copyright is defined to mean the sole right to produce or reproduce the work or any substantial part thereof in any material form whatsoever, or any translation thereof, to publish, perform, or deliver the work in public, to dramatize or novelize it, and in the case of a literary, dramatic, or musical work, to make any record, cinematograph film or other contrivance by means of which it may be mechanically performed or delivered, or to authorize any of such acts. Architectural works of art are included as to design, but not as to process or methods of construction.

Copyright in a musical work also includes the sole right to make any record, perforated roll, or other contrivance by means of which the work may be mechanically performed or delivered, and to authorize any of such acts. Conditions governing the making of mechanical contrivances of musical works published before and after the commencement of the British Act are separately prescribed. In the case of a musical work published after the commencement of said Act, if the work has already been mechanically performed with the consent of the owner of the copyright, then anyone can make mechanical contrivances for reproducing it by giving the notice and paying royalties as prescribed. But such contrivances must not alter or omit anything from such work unless similar alterations have been made by the author himself, or they are reasonably necessary for the adaptation of such contrivance. In the case of a musical work published before the commencement of the British Act, certain modifications are prescribed.

The author of a work is the first owner of the copyright therein, except in the case of mechanical contrivances made before the commencement of the Act, or where an engraving, photograph, or portrait is executed on commission, or "where the author was in the employment of some other person under a contract of service or apprenticeship, and the work was done in the course of his employment by that person." Copyright in Government publications vests in the Crown.

The owner may assign the copyright "either wholly or partially, and either generally or subject to limitations to the United Kingdom, or any self-governing dominion or other part of His Majesty's dominions to which the British Copyright Act extends, and either for the whole term of the copyright or for any part thereof, and may grant any interest in the right by licence, but no such assignment or grant shall be valid unless it is in writing signed by the owner of the right in respect of which the assignment or grant is made, or by his duly authorized agent." In the case of partial assignment, the original owner and the assignee become respectively the owners of the residual and assigned portions of the copyright. But an assignment, except by will, becomes null and void twenty-five years after the death of the author, when the entire right reverts to his heirs.

Copyright subsists during the life of the author and fifty years after his death, provided that at any time after the expiration of twenty-five years, or in the case of a work subsisting at the date of the passing of the Imperial Copyright Act 1911 (*i.e.*, 16th December, 1911), thirty years after, anyone on giving the requisite notice and paying royalties of ten per cent. on the published price has the right to publish the work. In the case of works of joint authorship, copyright subsists during the life of the author who dies first and for a term of fifty years afterwards, or during the life of the author who dies last, whichever period is the longer. In the case of posthumous works, copyright subsists for fifty years from first publication or performance, whichever is the earlier. Photographs are protected for fifty years from the date of the making of the original

negative, and records, perforated rolls, etc., for mechanical musical instruments for fifty years from the date of making of the original plates. Copyright in Government publications subsists for a period of fifty years from the date of first publication.

Works in which copyright subsisted immediately before the commencement of the British Act, *i.e.*, 1st July, 1912, shall, as from that date, be entitled to the substituted rights prescribed by the Act, including the extended term. The Act also reserves (in default of compensation by the person entitled to restrain production or performance) to anyone who has before the 26th July, 1910, incurred any expenditure or liability in connexion with a then lawful production or performance of a work, any rights or interests arising therefrom, which were subsisting and valuable.

The Commonwealth Copyright Act of 1912 prohibits the importation of pirated literary, dramatic, musical, and artistic works on conditions similar to those prescribed by the repealed Law of 1905.

The owner of any original literary, dramatic, musical, or artistic copyright under the Commonwealth Law, or of the sole right to perform, or authorize the performance, of any musical or dramatic work in the Commonwealth or any part thereof, may obtain registration of his right, on filing an application in the prescribed form at the Copyright Offices, Commonwealth Offices, Melbourne.

3. **Applications for Copyright.**—The following table gives particulars of copyright applications received and registered under the Commonwealth Acts from 1909 to 1913 inclusive:—

**COPYRIGHT APPLICATIONS RECEIVED AND REGISTERED UNDER COMMONWEALTH ACTS, 1909 to 1913.**

Year.	Copyrights.			
	Literary.	Artistic.	International and State.	Total.
<b>APPLICATIONS RECEIVED.</b>				
1909	474	518	14	1,006
1910	464	569	6	1,039
1911	440	466	15	921
1912	463	415	8	886
1913	505	340	...	845
<b>APPLICATIONS REGISTERED.</b>				
1909	412	527	4	943
1910	361	495	12	868
1911	379	412	11	802
1912	401	318	10	729
1913	429	245	...	674

The revenue from copyright for the years 1911, 1912 and 1913 was £143, £145 and £169 respectively.

In addition to the applications for copyright received and registered under the Commonwealth Act, certain applications for registration under State Acts were received and registered. The following table gives particulars of such applications for the years 1909 to 1913:—



**APPLICATIONS FOR REGISTRATION OF COPYRIGHT UNDER STATE ACTS,  
1909 to 1913.**

Year.	N.S.W.		Victoria.		Queensland.		S. Aust.		W. Aust.		Tasmania.	
	Literary.	Artistic.	Literary.	Artistic.	Literary.	Artistic.	Literary.	Artistic.	Literary.	Artistic.	Literary.	Artistic.

APPLICATIONS RECEIVED.

1909	...	...	8	4	...	...	...	...	...	...	...	...
1910	...	...	2	5	...	...	...	...	...	...	...	...
1911	...	...	1	...	...	...	...	...	...	...	...	...
1912	...	1	1	...	...	...	1	...	...	...	...	...
1913	...	...	...	...	...	...	...	...	...	...	...	...

APPLICATIONS GRANTED.

1909	...	...	9	11	...	...	...	...	...	...	...	...
1910	...	...	2	1	...	...	...	...	...	...	...	...
1911	...	...	1	...	...	...	...	...	...	...	...	...
1912	...	1	1	...	...	...	1	...	...	...	...	...
1913	...	...	...	...	...	...	...	...	...	...	...	...

### § 4. Old-age and Invalid Pensions.

1. **General.**—A system for providing for the relief of the aged poor by some means which did not involve the stigma associated in so many minds with the idea of charitable aid, and which, while protecting the recipients from actual want, still left to them as large a degree of freedom as possible, has long been sought for by economists, statesmen, and social reformers. The difficulties surrounding a satisfactory solution of the question are numerous and great, and various schemes have been propounded with the object of overcoming them. Two of the principal objections which have been urged against the introduction of a general system of old-age pensions are—

- (i.) its costliness;
- (ii.) its tendency to induce thriftlessness.

The former is undoubtedly a serious difficulty, since in any normally constituted population the number of persons aged say sixty-five years and upwards will represent about 5 per cent. of the total population, and the provision of the funds required to pay to these a sum which would provide them with even the barest necessities of life would be a very considerable burden upon the State Treasury. To reduce this burden various suggestions have been made, of which probably the most effective have been those which provide, the one for a contribution to the pension fund by the pensioner during his earlier years, and the other for a reduction of the amount of pension payable to those in receipt of income from other sources. The former of these is the principle which has been acted upon in the scheme in operation in Germany, while the latter is that which underlies the schemes in vogue in the Commonwealth, New Zealand, and the United Kingdom.

The objection which has sometimes been raised to the payment of old-age pensions on the score of the tendency to thriftlessness thereby induced is one which, in Australia, at all events, is not accorded much weight, the general feeling being that the number of cases in which the prospect of a pension of, say, 10s. per week from sixty-five onwards would lead to thriftlessness in earlier years, is so small as to be practically negligible.

**2. Introduction of Old-age Pensions into Australia.**—The credit of introducing old-age pensions into the Southern Hemisphere belongs, not to the Commonwealth, but to her sister dependency, the Dominion of New Zealand, where pensions have been payable since 1st April, 1898. The first State of the Commonwealth to make provision for the payment of old-age pensions was Victoria, whose legislation on the subject came into operation on 18th January, 1901. Later in the same year, viz., on 1st August, 1901, the pension system of New South Wales came into force, while in the case of Queensland old-age pensions became payable from 1st July, 1908. Finally, an Act providing for the payment of old-age pensions throughout Australia was passed by the Commonwealth Parliament in 1908, pension payments thereunder commencing on 1st July, 1909. This Act superseded the State Acts in so far as provision for old age is concerned.

**3. Commencement of Commonwealth Act.**—The Commonwealth Invalid and Old-age Pensions Act was assented to on the 10th June, 1908, and payment of old-age pensions commenced as from 1st July, 1909. Provision is also made in the Act for the payment of invalid pensions. The part of the Act relating thereto, however, did not come into operation on the commencement of the Act, but it was provided that it should commence on some subsequent date to be fixed by proclamation. This proclamation was made on the 19th November, 1910, the first payments thereunder being made on the 15th December, 1910.

**4. Administration of Commonwealth Act.**—The general administration of the Act is, subject to the control of the Minister, placed in the hands of the Commissioner of Pensions, who is assisted by a Deputy Commissioner appointed in each State. Power is given to the Commissioner and the Deputy Commissioners to summon witnesses, receive evidence on oath, and require the production of documents for the purposes of the Act.

Each State is divided into districts, each of which is placed in charge of a Registrar, whose duties consist in receiving and investigating pension claims and in keeping such books and registers as are required for carrying out the provisions of the Act.

**5. Pension Age.**—For an old-age pension the age qualification is similar to that previously in force in New South Wales under the State Act, viz., attainment of the age of sixty-five years, or, in the event of permanent incapacitation for work, attainment of the age of sixty years. The Act also provides that the age qualification for women may be fixed by proclamation at sixty years instead of sixty-five. This proclamation was made on the 19th November, 1910, the first payments thereunder being made on the 15th December, 1910. For an invalid pension the age qualification is attainment of the age of sixteen years if accompanied by permanent incapacitation for work.

**6. Length of Residence.**—In the original Act of 1908 the residential qualification for an old-age pension was the same as that of the New South Wales Act, viz., continuous residence for twenty-five years. Owing, however, to the fact that in the other two States in which pensions were payable under the State régime the residential qualification was only twenty years, an amendment of the Act was passed by the Federal Parliament in August, 1909, reducing the Commonwealth term to twenty years also, thus rendering impossible the chance of lapse of pension through transfer from State to Commonwealth. For an invalid pension continuous residence for at least five years is required. In neither case, however, is continuous residence in Australia deemed to have been interrupted by occasional absences not exceeding in the aggregate one-tenth of the total period of residence. The applicant for any pension must be residing in Australia on the date when he makes his claim, and in the case of an invalid pension must have been incapacitated while in Australia.

**7. Rates of Pension.**—The rate of pension payable, whether for old age or invalidity, is required by the Act to be determined by the Commissioner or one of the Deputy Commissioners, and is to be fixed at such amount as he deems reasonable and sufficient, having regard to all the circumstances of the case, but must not exceed £26 per annum in any event, nor be at such a rate as will make the pensioner's income, together with pension, exceed £52 per annum.

**8. Limitations in respect of Income and Property.**—With a view to restricting the pensions to persons actually needing assistance, provision was made in all the State Acts reducing the payment when the applicant already possessed income or property above a given amount. This principle is also embodied in the Commonwealth Act. In the case of independent income it has already been mentioned that the pension payment must be so modified that the aggregate income, inclusive of pension, does not exceed £52 per annum. Payments received by way of benefit from any registered friendly society, or during illness, infirmity, or old age from any trade union, provident society, or other society or association, are not, for the purposes of the Commonwealth Act, treated as income. As regards accumulated property, the pension is subject to a deduction of £1 per annum for every complete £10 by which the net capital value of the property exceeds £50. Also, if both husband and wife are pensioners (except when they are living apart pursuant to any decree, judgment, order, or deed of separation), the deduction in the case of each of them shall be £1 for every complete £10 by which the net capital value of the accumulated property exceeds £25. From the capital value of accumulated property is deducted the capital value of a home in which the pensioner permanently resides, and all charges and encumbrances existing on the property, other than the home. Accumulated property whether in or out of Australia, to the value of £310 or upwards will disqualify for a pension, as will also an applicant's direct or indirect deprivation of himself of such property with the object of obtaining a pension. In the case of husband and wife, except where they are living apart pursuant to any decree, judgment, order or deed of separation, the net capital value of the accumulated property of each is deemed to be half the total net capital value of the accumulated property of both, and the amount of property in such case allowed prior to deduction is £50 if including, and £25 if not including a home.

**9. Character of Applicant for Pension.**—In all the State Acts provision was made that the recipients of old-age pensions should be persons of good moral character, and, in New South Wales and Victoria, imprisonment for extended periods would act as a disqualification. In the Commonwealth Act it is also provided that "no person shall receive an old-age pension unless he is of good character," but a similar provision is not made in the case of invalidity.

**10. Number of Commonwealth Claims and Old-age Pensions.**—During the first year of practical working of the Commonwealth Act, viz., that ended 30th June, 1910, the number of cases considered was 76,168. Of these 39,875 were cases in which a State old-age pension was exchanged for one payable by the Commonwealth. The remaining 36,293 were new applications received during the year, of which 30,526 were granted, 3921 were rejected, and 1846 were still in course of consideration on 30th June, 1910. During the year ending 30th June, 1911, a further number of 20,260 were considered.

Details of the several States as at 30th June, 1913, are as follows :—

COMMONWEALTH OLD-AGE PENSIONS, YEAR ENDED 30th JUNE, 1913.

	N.S.W.	Vic.	Q'land.	S.A.	W.A.	Tas.	C'w'th.
Claims examined during year ending 30th June, 1913 ...	4,559	3,896	1,986	1,147	573	593	12,754
Claims rejected ...	526	441	405	15	63	...	1,450
Claims granted ...	4,033	3,455	1,581	1,132	510	593	11,304
Transfers from other States ...	255	196	66	92	91	32	732
Existing 30th June, 1912 ...	29,668	24,449	10,436	7,289	3,224	4,005	79,071
	33,956	28,100	12,083	8,513	3,825	4,630	91,107
To be deducted—							
Deaths ...	2,459	2,239	685	614	220	340	6,557
Cancellations, and transfers to other States ...	628	427	177	147	121	107	1,607
	3,087	2,666	862	761	341	447	8,164
Old Age Pensions existing on 30th June, 1913 ...	30,869	25,434	11,221	7,752	3,484	4,183	82,943

11. Sexes of Old-age Pensioners.—Of the 82,943 persons in receipt of pension at 30th June, 1913, 36,010 (or 43 per cent.) were male, and 46,933 (or 57 per cent.) were female. Details for the several States are as follows:—

SEXES OF PENSIONERS, 30th JUNE, 1913.

State.	Males.	Females.	Total.	*Masculinity.
New South Wales ...	14,078	16,791	30,869	83.84
Victoria ...	10,317	15,117	25,434	68.25
Queensland ...	5,415	5,806	11,221	93.26
South Australia ...	3,005	4,747	7,752	63.80
Western Australia ...	1,669	1,815	3,484	91.95
Tasmania ...	1,526	2,657	4,183	57.43
Total ...	36,010	46,933	82,943	76.73

\* Number of males to each 100 females.

12. Ages and Conjugal Condition of Old-age Pensioners Admitted during 1912-13.—The recorded ages of the 11,304 persons to whom pensions were granted during the year 1912-13 varied considerably, ranging from 1380 at age 60 to 1 at age 93. Particulars for quinquennial age groups are as follows:—

## AGES AND CONJUGAL CONDITION OF PENSIONERS ADMITTED DURING 1912-1913.

Age at Admission.	Males.				Females.				Grand Total.
	Single.	Married.	Widowed	Total.	Single.	Married.	Widowed	Total.	
60-64 ... ..	89	202	59	350	510	1,437	1,606	3,553	3,903
65-69 ... ..	556	1,634	576	2,766	194	596	824	1,614	4,380
70-74 ... ..	240	526	266	1,032	76	264	430	770	1,802
75-79 ... ..	90	201	149	440	25	98	262	385	825
80-84 ... ..	14	57	66	137	11	22	109	142	279
85-89 ... ..	6	15	23	49	...	12	39	51	100
90-94 ... ..	1	3	4	8	...	2	5	7	15
Total ... ..	996	3,638	1,148	4,782	816	2,431	3,275	6,522	11,304

13. Commonwealth Claims for Invalid Pensions.—The situation as at 30th June, 1913, was as follows:—

## COMMONWEALTH INVALID PENSIONS.—YEAR ENDED 30th JUNE, 1913.

	N.S.W.	Vic.	Q.	S. A.	W. A.	Tas.	Total C'wealth.
Claims examined during year ending 30th June, 1913 ...	2,010	1,588	825	396	286	431	5,536
Claims rejected ... ..	406	407	177	49	54	54	1,147
Claims granted ... ..	1,604	1,181	648	347	232	377	4,389
Transfers from other States ...	27	16	7	13	8	7	78
Existing 30th June, 1912 ...	4,827	3,162	989	707	374	704	10,763
	6,458	4,359	1,644	1,067	614	1,088	15,230
Deduct—							
Deaths ... ..	450	358	111	89	24	78	1,110
Cancellations and Transfers to other States ...	209	83	23	22	16	28	381
	659	441	134	111	40	106	1,491
Invalid Pensions existing 30th June, 1913 ... ..	5,799	3,918	1,510	956	574	982	13,739

14. Sexes of Invalid Pensioners.—Of the 13,739 persons in receipt of an invalid pension on 30th June, 1913, 6943 or 50½ per cent. were male, and 6796 or 49½ per cent. were female. Details for the several States are as follows:—

## SEXES OF INVALID PENSIONERS, 30th JUNE, 1913.

State.	Males.	Females.	Total.	*Masculinity.
New South Wales ... ..	2,962	2,837	5,799	104.35
Victoria ... ..	1,881	2,037	3,918	92.34
Queensland ... ..	851	659	1,510	129.13
South Australia ... ..	434	522	956	83.14
Western Australia ... ..	320	254	574	125.98
Tasmania ... ..	495	487	982	101.64
Commonwealth ... ..	6,943	6,796	13,739	102.16

\* Number of males per 100 females.

15. **Ages and Conjugal Condition of Invalid Pensioners Admitted during 1912-13.**—The recorded ages of the 4389 persons who received invalid pensions in the period under review varied from 16 to 90. The following table gives particulars in decennial age groups after age 20:—

**AGE AND CONJUGAL CONDITION OF INVALID PENSIONERS ADMITTED IN 1912-13.**

Age at Admission.	Males.				Females.				Grand Total.
	Single.	Married.	Widowed	Total.	Single.	Married.	Widowed	Total.	
16-19 ... ..	125	2	...	127	105	...	...	105	232
20-29 ... ..	181	35	1	217	251	9	4	264	481
30-39 ... ..	139	111	5	255	149	25	19	193	448
40-49 ... ..	151	224	27	402	148	104	104	356	758
50-59 ... ..	260	445	112	817	176	303	342	821	1,638
60-69 ... ..	178	302	96	576	23	49	72	144	720
70-79 ... ..	24	20	25	69	3	4	27	34	103
80 and over ... ..	...	2	4	6	...	...	3	3	9
<b>Total ...</b>	<b>1,058</b>	<b>1,141</b>	<b>270</b>	<b>2,469</b>	<b>855</b>	<b>494</b>	<b>571</b>	<b>1,920</b>	<b>4,389</b>

16. **Cost of Administration.**—Under the State régime the cost of administration differed considerably in the several States, and for 1908-9 represented in New South Wales 4.17 per cent. of the amount actually paid in pensions. In Victoria for the same year the corresponding percentage was 0.70. During the year 1912-13 the total cost to the Commonwealth of administering the Old-age and Invalid Pensions Department was £44,523, or nearly 2 per cent. of the amount actually paid in pensions. Details concerning the cost of administration for 1912-13 are as follows:—

	£
Salaries ... ..	13,715
Temporary assistance ... ..	1,837
Services of magistrates, registrars, clerks of courts, and police ...	5,044
Commission to Postmaster-General's Dept., at 12s. 6d. per £100 paid	13,775
Postage and telegrams ... ..	2,843
Other expenses ... ..	7,309
	44,523

The actual sum disbursed in Old-age and Invalid Pensions in the financial year 1912-13, apart from the cost of administration, was approximately £2,289,048.

17. **Liability Undertaken in Granting Old-age Pensions.**—As an indication of the extent of the responsibility which an old-age pension scheme involves, it may be mentioned that in connection with the evidence tendered to the Commonwealth Commission on Old-age Pensions a computation was made of the total liability in respect of accrued pensions which the Commonwealth would have incurred if, at 31st March, 1901, the date of the Census, 39 per cent. of the persons aged sixty-five and upwards were entitled to pensions of ten shillings per week. The present value at that date of the liability so computed was £10,415,820. (See Minutes of Evidence of Royal Commission on Old-age Pensions, p. 80.)

The following table gives detailed statistical information concerning the working of the Act since 1st July, 1910:—

## INVALID AND OLD-AGE PENSIONS SUMMARY.

Financial Year ended 30th June.	Number of Pensioners.			Amount Paid in Pensions.	Amount Paid to Asylums for Maintenance of Pensioners.	Total Payment to Pensioners and Asylums.	Cost of Administration.	Cost of Administration per £100 paid to Pensioners and Asylums.	Average Fortnightly Pension on last day of Financial Year
	Old-Age.	Invalid.	Total.						
1910	65,492	...	65,492	£ 1,497,330	£ 155	£ 1,497,485	£ 37,146	£ s. d. 2 9 7 %	s. d. 19 1
1911	75,502	7,451	82,953	£ 1,868,648	£ 2,592	£ 1,871,240	£ 39,244	£ s. d. 2 1 11 %	s. d. 19 1
1912	79,071	10,763	89,834	£ 2,148,034	£ 7,447	£ 2,155,481	£ 41,794	£ s. d. 1 18 9 %	s. d. 19 0
1913	82,948	13,739	96,682	£ 2,289,048	£ 13,287	£ 2,302,335	£ 44,523	£ s. d. 1 18 8 %	s. d. 19 6

## § 5. Maternity Allowance.

The Federal Parliament, during the session of 1912, passed an Act (assented to on 10th October, 1912) providing under certain circumstances for the payment of maternity allowances. The scope and main provisions of the Act will be gathered from the following sections and sub-sections, given in full:—

4. "Subject to this Act, there shall be payable out of the Consolidated Revenue Fund, which is hereby appropriated accordingly, a maternity allowance of Five pounds to every woman who, after the commencement of this Act, gives birth to a child, either in Australia or on board a ship proceeding from one port in the Commonwealth or a Territory of the Commonwealth to another port in the Commonwealth or a Territory of the Commonwealth."
5. (1) "A maternity allowance shall be payable in respect of each occasion on which a birth occurs, and the child is born alive, or is a viable child, but only one allowance shall be payable in cases where more than one child is born at one birth."
6. (1) "The maternity allowance shall be payable only to women who are inhabitants of the Commonwealth or who intend to settle therein."
- (2) "Women who are Asiatics or are aboriginal natives of Australia, Papua, or the islands of the Pacific, shall not be paid a maternity allowance."

The following table gives particulars of the working of the Act from 10th October, 1912, when it came into operation, up to 30th June, 1913:—

STATEMENT SHEWING PARTICULARS OF CLAIMS WITH REGARD TO THE MATERNITY ALLOWANCE OF £5, FROM 10th OCTOBER, 1912, to 30th JUNE, 1913.

State.	Granted.	Rejected.	Under	Total.
			Consideration.	
	No.	No.	No.	No.
New South Wales ... ..	31,045	291	558	31,894
Victoria ... ..	22,796	114	483	23,393
Queensland ... ..	12,130	74	188	12,392
South Australia ... ..	7,589	52	118	7,759
Western Australia ... ..	5,385	59	236	5,680
Tasmania ... ..	3,611	29	46	3,686
Commonwealth ... ..	82,556	619	1,629	84,804

The cost of administration for the period under review was £6368 and the amount disbursed in claims was £412,780.

## . Local Option.

1. **General.**—The principles of local option as to the sale of fermented and spirituous liquors have been applied in all the States of the Commonwealth. The last State to adopt these principles was Western Australia, where provision was made for a system of local option by the Licensing Act 1911.

2. **New South Wales.**—The Act in force relating to local option in this State is the Liquor Act 1912, which consolidates the laws relating to publicans, brewers and other persons engaged in the brewing, manufacture or sale of liquor. The local option vote is taken in every electorate on the day fixed for the poll therein at each general election. The option with regard to licenses extends to publichouses, wineshops, and clubs, and the persons entitled to vote are those entered on the Parliamentary electoral rolls. The resolutions to be submitted, and the effects of such resolutions, if carried, are given *in extenso* in previous issues. The first local option vote under the Liquor (Amendment) Act of 1905 was taken at the general election in 1907, and the second at the election in 1910, while the vote in 1913 was taken under the Liquor Act 1912. The following statement shews the number of electorates in which each of the resolutions was carried:—

## NEW SOUTH WALES.—EFFECTS OF LOCAL OPTION VOTES, 1907, 1910 and 1913.

Particulars.	General Election, 1907.		General Election, 1910.		General Election, 1913.	
	Electorates.	Votes	Electorates.	Votes.	Electorates.	Votes.
<i>Results in favour of—</i>						
(a) Continuance ...	25	209,384	76	324,973	74	376,793
(b) Reduction ...	65	75,706	14	38,856	15	44,368
(c) No license ...	Nil	178,580	Nil	212,889	Nil	241,402

\* One Electorate not available.

3. **Victoria.**—The Acts dealing with the subject of local option as to the sale of fermented and spirituous liquors, and with the compulsory closing of hotels in this State are the Licensing Acts 1890, 1906, and 1907. Other Acts, now repealed, which dealt with the subject, are the Licensing Acts 1876, 1885, and 1888.

The last division of the Act of 1906 relates to the subject of local option; this division, however, does not come into force until the 1st January, 1917. In the meantime, in order to reduce the number of victuallers' licenses in Victoria, a Licenses Reduction Board has been constituted.

(i.) *The Licenses Reduction Board.* Although the operations of this Board are not conducted in accordance with the principles of local option, the duties of the Board are, until the 31st December, 1916, after which date a system of local option comes into force under the Act of 1906, to reduce the number of licenses in excess of the statutory number, and to award compensation according to the scheme provided for by that Act. The Board consists of three members at a salary of £800 per annum each, who may not engage in any business or employment other than the duties of their office as members of the Board. The Board was first appointed on the 21st May, 1907. A Compensation Fund has also been established under the Act, and is raised by means of a compensation fee at the rate of 3 per cent. on the value of liquor purchased by every licensed victualler. The owner of the premises is chargeable with



two-thirds, and the tenant with one-third of the compensation fee. The total amount paid into the Compensation Fund was £48,233 for the year 1907, £48,543 for 1908, £49,300 for 1909, £48,875 for 1910, £51,716 for 1911, £55,275 for 1912, and £58,947 for 1913. When any reduction of licensed premises has been made, the remaining hotels, which will be benefited, are to bear a *pro rata* assessment to make up the amount of license fees lost. The amount so lost up to the end of the year 1913 was £11,680, of which sum £2646 was remitted, and £9034 apportioned among 1852 hotels in proportion to the benefit which, in the opinion of the Board, they will derive from the closing. By an amendment to the Act in 1912, the Board has been given discretion in certain circumstances to allot less than the amount lost. The maximum compensation, which is payable out of the Compensation Fund referred to above, is to be based on the results of the three years preceding the 31st December, 1906, in the case of owners, and of the three years preceding the 31st December, 1905, in the case of licensees. Up to the 31st December, 1913, 710 hotels had been closed by the Board, 198 of this number having surrendered their licenses. In all cases compensation, where claimed, was awarded, the total paid amounting to £344,952, or an average of £486 each. 193 of these hotels were situated in the metropolitan district, while the remaining 517 were in country districts. In one owner's case and 149 licensees' cases no claims for compensation were made. The following table shews particulars of the operations of the Board up to the 31st December, 1913.

**VICTORIA.—OPERATIONS OF LICENSES REDUCTION BOARD, 31st DECEMBER, 1913.**

Particulars.	Licenses in December, 1906.			Hotels Deprived of Licenses	Compensation Awarded.		Hotels Surrendered.	Compensation Awarded.	
	Number in Existence.	Statutory Number.	* Number in Excess.		Owner.	Licensee.		Owner.	Licensee.
Metropolitan & Suburban	1,020	877	401	183	£ 136,999	£ 25,303	10	£ 5,253	£ 1,124
Country	2,440	1,622	976	329	116,661	18,008	188	37,628	3,976
Total ...	3,460	2,499	1,377	512	253,660	43,311	198	42,881	5,100

\* In some districts the number of hotels was below the statutory number; in these districts the total number of hotels less than the statutory number was 418.

No reduction of any licensed premises is allowed in any licensing district in which the number of licensed premises is below the statutory number, but new licenses may, until 1917, be granted in such districts provided that a majority of the electors vote in favour of the increase, and that at least one-third of the number of electors on the roll record their votes. The statutory number varies yearly with the change of the population. The number of hotels below the statutory number in the districts referred to for the year 1913 was 737.

Where a deprivation sitting is held before 30th June the Acts specify that a deprived license expiring on or before the 31st December following shall not be renewed. Where the sitting takes place after 30th June the license may be renewed for a period making in all six months from the first day of such sitting. To avoid difficulties on this score the Board holds its deprivation sittings in the first half of the year and its compensation and re-allotment sittings in the second half. Surrenders take effect on the date fixed by the Board at the time of acceptance.

In addition to those scheduled above, the Board, up to the 25th May, 1914, had deprived 62 hotels of their licenses, of which 2 were surrendered, making a grand total of 772.

In previous issues reference has been made to the methods of procedure to be followed on the coming into force of the system of local option on January 1st, 1917.

4. **Queensland.**—The local option clauses of “The Liquor Act of 1912” provide for the following:—

- (i.) The conditions under which new licenses may be granted until the completion of the business of the Licensing Court in April, 1915.
- (ii.) The continuance of the local option clauses of “The Licensing Act of 1885” until the 31st December, 1915.
- (iii.) The institution of a new scheme, under which electors from and after the year 1916 will have the opportunity of voting every three years on the question of reduction of licenses.

(i.) *New Licenses.* With regard to the granting of “new licenses” from the 1st April, 1913, and until the completion of the business of the Licensing Court in April, 1915, it is provided that no new licensed victualler’s or wine seller’s or provisional licenses shall be granted, unless at a local option vote of the electors of the local option area in which the premises or proposed premises are situated, a resolution “that new licenses shall be granted in this local option area” has been carried.

If the resolution is carried, the Court may, but need not, grant applications; but if the resolution is not carried, the Court shall not grant any application during the said years in the said local option areas.

The Act of 1912 provided that a local option vote following on an application for a license might be taken in any of the years 1913, 1914, and 1915 in a local option area, but having been taken once should not be taken again during those years in the same local option area. During 1913 a vote was taken in 10 districts on the resolution “that new licenses be granted.” In five of these, the resolution was carried, the other five districts declaring against any increase in the number of licenses.

(ii.) *Continuance of Present System until 1916.* With the exception of the third resolution, viz., “that no new licenses be granted,” the local option provisions of “The Licensing Act of 1885” remain in full force and effect until the 31st December, 1915, with certain modifications and additions. These will be found fully described in previous issues of the Year Book (see No. 6, p. 1177).

(iii.) *General Local Option.* The first vote may be taken in the year 1916, on the same day as the election of senators takes place, and the vote will be by ballot.

The vote will be taken on the request of one-tenth of the number of electors in an area, which is defined in the request, and such area may be:—(a) an electoral district, (b) an electoral division of an electoral district, or, (c) a group of two or more divisions of an electoral district, provided that the whole of such local option area is wholly comprised within one and the same electoral district.

There must be a separate request for each resolution on which a vote is required to be taken.

The resolutions on which a vote may be taken are:—(a) reduction by one-fourth of the existing number, (b) further reduction by one-fourth of the existing number, (c) further reduction by one-fourth of the existing number, (d) prohibition, and (e) new licenses.

In previous issues of the Year Book (see No. 6, p. 1178) will be found fuller reference to the effect of the carrying of any of these resolutions.

5. **South Australia.**—In this State the subject of local option is now regulated by Part V. of the Licensing Act 1908.

Under this Act, each electoral district for the House of Assembly is constituted a local option district, and each electoral district may be divided into local option districts by proclamation of the Governor. A quorum consisting of 500 electors, or one-tenth of the total number of electors, whichever be the smaller number, in any district may petition the Governor for a local option poll. The persons entitled to vote at the poll are those whose names appear on the electoral roll and who reside in the local option district.

The resolutions to be submitted under the Act, together with the effects such resolutions would have, are set out in detail in previous issues of the Year Book (see No. 6, p. 1179).

*Local Option Polls.* On the 2nd April, 1910, local option polls were taken under the Act of 1908 in twenty-four districts; the electors in the remaining nine local option districts did not petition for polls. A resolution that the number of licenses be reduced, was carried in only one district, Wallaroo; in the remaining 23 districts a resolution that the number of licenses be not increased or reduced, was carried. At the General Election of the House of Assembly held on the 10th February, 1912, no local option polls were held in any local option district.

6. **Western Australia.**—The law relating to local option in Western Australia is contained in Part V. (sections 75 to 86) of the Licensing Act 1911, which was assented to on 16th February, 1911, and came into force on the 7th April following. Prior to the passing of this Act there was no provision for any system of local option in Western Australia.

The resolutions to be submitted under the above-mentioned Act and the effect such resolutions would have, are given in detail in previous issues of the Year Book (see No. 6, p. 1180).

The first vote under the Act of 1911 was taken on 26th April, 1911, the main question being confined (as prescribed by the Act when the vote is taken prior to 1920) to a resolution "that the number of licenses be increased," the only other questions submitted being those of State control of new publicans' general licenses and State management throughout all licensing districts.

The following table shows the result of this local option poll:—

**WESTERN AUSTRALIA.—RETURN SHEWING THE RESULT OF LOCAL OPTION POLL OF 26th APRIL, 1911.**

Result of Local Option Poll.		Do you vote that all new Publicans' General Licenses be held by the State.		Are you in favor of State Management throughout all Licensing Districts.	
Votes given in favor of the number of Licenses in the various districts being increased.	Votes given in favor of the number of Licenses in the various districts not being increased.	Yes	No.	Yes.	No
4,554	17,623	27,007	14,887	26,631	14,944

Under the 1911 Act a second poll was due on 26th April, 1914, but an amending Act was passed in December 1913, continuing the present conditions until April 1915.

7. **Tasmania.**—In this State the subject of local option is dealt with in Part VI. (sections 72 to 84) of the Licensing Act 1902, as subsequently amended by section 8 of the Licensing Act 1908, which later Act, however, does not come into full operation until the first of January, 1917. Other Acts which formerly dealt with the subject, but now repealed, are the Licensing Acts 1889 and 1890, the Inn Keepers Relief Act 1894, and the Licensing Act Amendment Act 1898. Under the Act of 1902, opposition to the grant of a license may be made (i.) by any resident ratepayer, (ii.) by petition of ratepayers resident in the neighbourhood, or (iii.) by local option poll.

The conditions under which applications may be made to the Licensing Bench opposing the granting of licenses, are set out in detail in previous issues of the Year Book. (See No. 6, p. 1181.)

*Local Option Poll.* Any number of ratepayers, not less than seven, resident in the neighbourhood of the house in respect of which a provisional certificate or an hotel license has been applied for, may require, by petition lodged with the Clerk of Petty Sessions, that a poll of the ratepayers resident in the neighbourhood be taken upon the question whether such provisional certificate be granted or not. If a majority of the votes taken be against the granting of the certificate the Licensing Bench must refuse to grant it.

Particulars as to operations under Part VI. of the Act are not available.

### § 7. Preferential Voting.

In previous issues of the Year Book, a description in detail has been given of the systems of preferential voting now in force in the States of Victoria, Queensland, Western Australia and Tasmania. It is not intended to repeat the description in the present issue.

### § 8. Valuation of Commonwealth Production.

The want of uniformity in methods of compilation and presentation of Australian statistics renders it an extremely difficult task to make anything like a satisfactory valuation of the various elements of production. At present there is so little accurate statistical knowledge regarding such industries as forestry, fisheries, poultry, and bee-farming, that any valuation of the production therefrom can only be regarded as the roughest approximation. As a matter of fact complete information as to value of production in all States is available in regard to the mining industry alone, and even in this case adjustments have to be made before the returns are strictly comparable. Careful estimates have been made in connection with the value of production from the agricultural and pastoral industries, which, it is believed, in the main give fairly accurate results. In the case of manufactories, prior to 1909, five of the States collected statistics of the value of production, while for the sixth State, Tasmania, an estimate has been prepared which it is believed gives a fair approximation. The returns given in the following table are fuller and more approximate than those which have been given previously, and the returns collected in 1909 and subsequent years, however, may be taken as substantially correct. The table hereunder shews the approximate value of the production from all industries during the years 1906 to 1912 :—

ESTIMATED VALUE OF PRODUCTION FROM INDUSTRIES, 1906 to 1912.

Year	Agriculture	Pastoral.	Dairy, Poultry, & Bee-farming.	Forestry and Fisheries.	Mining.	Manufacturing.*	Total.
	£1000	£1000.	£1000.	£1000.	£1000.	£1000.	£1000.
1906 ... ..	25,349	45,389	13,611	4,879	26,622	33,205	149,055
1907 ... ..	30,500	50,660	15,584	4,826	28,301	36,155	166,026
1908 ... ..	37,150	47,259	15,045	4,286	24,580	36,637	164,957
1909 ... ..	41,056	50,864	15,064	4,462	23,039	39,713	174,198
1910 ... ..	39,752	56,993	17,387	4,789	23,215	45,598	187,734
1911 ... ..	38,774	50,725	19,107	5,728	23,480	50,767	188,581
1912 ... ..	45,754	51,615	20,280	6,432	25,629	57,022	206,732

\* These amounts differ from those given in Section XIII. Manufacturing Industries, owing to certain products which are there included having been included in Dairy Farming and Forestry in this table.

The total production from all industries during 1912 was £206,732,000, equal to an average of £44 10s. 2d. per inhabitant.

In Year Books Nos. 1 to 5 will be found the value of production in each State at decennial intervals since 1871, and for the year 1909. Details for individual States are not available for subsequent years owing to discontinuance by Customs Department of collection of statistics of interstate trade.

## § 9. Norfolk Island.

**1. Area, Location, etc.**—Norfolk Island, discovered by Captain Cook in 1774, is situated in latitude  $29^{\circ} 3' 45''$  south, longitude  $167^{\circ} 58' 6''$  east. Its total area is 8528 acres, the island being about 5 miles long and 3 miles wide. From Sydney it is distant 930 miles, and from New Zealand 400 miles. The coast line is 20 miles, and its form that of an irregular ellipse. Except on the south-west, inaccessible cliffs rise from the water's edge. The climate is equable, and the average annual rainfall 43 inches.

**2. Settlement.**—The first colonisation, in 1788, was by Lieutenant King, who in H.M.S. *Sirius* established a small penal station as a branch settlement of that at Port Jackson. The settlement was abandoned in 1806, and thence for 20 years its chief use was as a whaling station and place of call for British warships.

From 1826 to 1855 it was again made a penal station. In 1844 it was annexed to Van Diemen's Land (Tasmania).

The descendants of the *Bounty* mutineers having become too numerous to subsist on Pitcairn Island were removed thence to Norfolk Island in 1856. The new community numbered 193, 94 males and 99 females, and were the descendants of British sailors and Tahitian women.

In 1856 the island was severed from Tasmania, and created a distinct and separate settlement under the jurisdiction of New South Wales. In 1897 it was made a dependency under the Governor of that Colony, and is now administered by the Chief Secretary's Department through a resident Chief Magistrate, in whom is vested the executive government of the settlement, and the penal supervision of its affairs. In 1913, however, a Bill was passed by the Federal Parliament providing for the taking over of the Island as a territory of the Commonwealth. The Act will come into force on July 1st, 1914. The Island will then be administered by the Department of External Affairs, through an Administrator and Chief Magistrate.

**3. Population.**—The census population (3rd April, 1911) was 568 males, 417 females, total 985.

**4. Production, Trade, etc.**—In 1913 the imports from the Commonwealth were valued at £7612, the exports at £1127. The chief articles sent to the Commonwealth were skins, £338; oils £277; raw coffee, £147. There is little other production. A monthly steam service is maintained with Sydney; other communication is irregular. The "all red" cable from Great Britain *via* Vancouver, Fanning Island and Fiji, bifurcates at Norfolk Island, one line connecting with New Zealand, the other with Brisbane.

**5. Social Condition.**—Education is free and compulsory, and there is a public school under the State Department of Public Instruction, and with standards corresponding to the State public schools.

The magistrate's court has criminal jurisdiction in all crimes except capital offences, civil jurisdiction in all matters, and authority to grant probate and letters of administration.

Dealings with Crown lands are in the hands of the Governor alone.

### § 10. Lord Howe Island.

1. **Area, Location, etc.**—Between Norfolk Island and the Australian coast is Lord Howe Island in latitude 31° 30' south; longitude 159° 5' east. It was discovered in 1788. The total area is 3220 acres, the island being seven miles in length and from one half to one and three-quarter miles in width. It is distant 436 miles from Sydney. The flora is varied and the vegetation luxuriant, with shady forests, principally of palms and banyans. The highest point is Mount Gower, 2840 feet. The climate is mild and the rainfall abundant.

2. **Settlement.**—The first settlement was by a small Maori party in 1853; afterwards a colony was settled from Sydney. Constitutionally it is a dependency of New South Wales, and is supervised by a visiting magistrate.

3. **Population.**—The population at the Census of 3rd April, 1911, was 56 males, 49 females, total 105.

4. **Production, Trade, etc.**—The principal product is the seed of the native or *Kentia* palms. A monthly steamship service is maintained with Sydney. The lands belong to the Crown. The occupants pay no rent, and are tenants on sufferance.

### § 11. Some Native Australian Fodder Plants.

In Year Book No. 6, p. 1190, will be found an article on "Some Native Australian Fodder Plants," by J. H. Maiden, Esq., F.L.S., Director of the Botanic Gardens, Sydney. It is not intended to reproduce the article in the present issue of the Year Book.

### § 12. Interstate Conferences.

1. **Premiers' Conference, 1914.**—In March, 1914, a conference of State Premiers was held in Melbourne, at which a number of matters of interstate interest were discussed. On the subjects of Uniform Railway Gauge, Electoral Uniformity, and other questions affecting both Commonwealth and States, the Commonwealth was represented at the Conference by the Prime Minister and other Members of the Commonwealth Cabinet. The following is a summary of the resolutions agreed to:—

*Dominions Housing.* Resolved: That this Conference approves of the proposal to provide accommodation for the housing of the Oversea Dominions upon the Aldwych site in London.

*British Science Association (Railway Passes and Hospitality generally).* Resolved: That, in the opinion of this Conference, the amended proposals of the Commonwealth relating to the British Science Association should be concurred in by the States.

*Uniform Standards for Foods and Drugs.* Resolved: That, in the opinion of this Conference, uniform legislation or regulation in pursuance of the decision of the Conference of June, 1913, on Uniform Standards for Foods and Drugs, should be approved by each State as early as practicable.

*Panama Exposition—Representation at.* Resolved: That this Conference approves the representation of Australia at the Panama Exposition, and urges the co-operating States to forthwith appoint their Commissioners.

*Uniform Railway Gauge.* Resolved: That the States agree to refer to the Interstate Commission the question of a uniform railway gauge for Australia for report whether it is desirable to adopt a uniform railway gauge; and, if so, when and what gauge should be adopted.

And, further, that the Commonwealth and the States agree to refer to the said Commission the following questions:—

1. What benefits will result—(a) to the Commonwealth; (b) to each of the States?
2. What will be the cost of the conversion?
3. In what manner and to whom shall such cost be apportioned?

*Transferred Properties Questions—(A) Payment by Commonwealth for Services rendered by States.* Resolved: That this Conference affirms the principle that services rendered to the Commonwealth by the States, and *vice versa*, should be paid for.

*Transferred Properties Questions—Payment of Interest on Transferred Properties from the Date of such Transfer to the Commonwealth.* Resolved: That this question be referred to a Committee of the legal members of the Conference for consideration and subsequent report to the Conference.

Resolved: That, whilst the Conference considers that on a strict interpretation of section 89 of the Constitution Act, under which the Commonwealth is apparently acting, the Queensland Government is unable to effectively assert a claim for interest for the period prior to the commencement of the present financial arrangements, it feels that the claim is worthy of favorable consideration.

*Transferred Properties Questions—Payment of Capital Money for Transferred Properties.* Resolved: That arrangements for the settlement of the capital debt on transferred properties should be made without delay by the Commonwealth to the States.

*Transferred Properties Questions—Re-transfer of Properties from the Commonwealth.* Resolved: That, in the opinion of this Conference, the re-transfer of properties transferred under section 85 of the Constitution should not be accepted by the States, except by mutual agreement between the States and the Commonwealth.

*States Savings Banks in relation to the Commonwealth Savings Bank.* Resolved: That, in order to terminate the disadvantages arising from the competition between the States Savings Banks and the Commonwealth Savings Bank, and secure the advantages which will follow upon an increased recognition of the national character of the Commonwealth Bank, it is resolved that in consideration of the Commonwealth Bank withdrawing from the Savings Bank business the States are willing to allow the Savings Bank deposits now held by the Commonwealth Bank to remain on fixed deposit with the Commonwealth Bank, and to become responsible, through their Savings Banks or otherwise, for the repayment of such deposits, and will further undertake at their earliest convenience and as far as practicable to transact their State banking business with the Commonwealth Bank.

Resolved: That, with a view to the early completion of such an agreement, the State Treasurers should confer with the Commonwealth Treasurer as early as possible.

*Relation of Commonwealth to Immigration; and Assistance that may be arranged with the States.* Resolved: That the various immigration questions on the agenda paper be referred to the available immigration experts of the States for consideration and subsequent report to the Conference.

*Electoral Uniformity between the Commonwealth and States.* Resolved: That the proposals of the Commonwealth Government relating to electoral uniformity be referred to the Governments of the States for early consideration and decision.

*State Debts—Transfer of.* Motion: That this Conference declares its readiness to co-operate with the Government of the Commonwealth in effecting an early transfer of the debts of the States, upon the conditions suggested by the Federal Treasurer, with the following amendments, viz.:—

1. That the entire control and management of future conversion and new loan transactions of the Commonwealth and the States be placed in the hands of a National Debts Commission of five members, two appointed by the Commonwealth, and three by the States; and
2. That existing sinking or redemption funds be not transferred to the Commonwealth.

Resolved: That the debate on this motion be adjourned, and that the proposals referred to therein be referred to a Treasurers' Conference.

*Ocean Lights and Marine Marks in Australia.* Resolved: That the proposals of the Commonwealth Government relating to ocean lights and light dues be referred for the early and serious consideration of the respective Governments of the States.

*Gold Coinage—Assumption of Control by Commonwealth.* Resolved: That this Conference approves of taking over the Mint and of gold coinage by the Commonwealth—the States of New South Wales and Victoria to compensate, on an equitable basis, the State of Western Australia.

*Opening up another English Port.* Resolved: That the States as a whole cannot agree at this stage. It is suggested that the matter be further considered by New South Wales, Victoria, and South Australia.

Resolved: That the States co-operate in the endeavour to establish new services with the Eastern ports of the United States of America, and that all necessary inquiries be made to this end.

*Issue of Passes to Officers accompanying Ministers.* Resolved: That Ministers visiting other States on public business at other than Conference times to be entitled to pass one public officer over the railways free of charge, and during Conference times officers accompanying Ministers to receive passes.

*Railway Passes to Delegates to Conferences of the Blind.* Resolved: That the States approve of the issue of passes for four (4) representatives of each State for annual conferences.

*Bulk Handling of Grain.* Decided that the question of bulk handling of grain cannot be the subject of a resolution.

*Representation of the Commonwealth at the Royal Scottish Arboricultural Society's Diamond Jubilee.* Resolved: That the States do not desire to be represented at the Scottish Arboricultural Diamond Jubilee, to be held in June, 1914.

*International Exhibitions.* Resolved: That the Convention recommendations be approved.

*Uniform Valuations for State, Municipal, and Commonwealth purposes.* Resolved: That the Conference affirms the desirability of uniform valuations for Commonwealth and State purposes being adopted as early as practicable, and that the necessary legislative or administrative steps in that direction be taken by the States.

*Border Migration.* Resolved: That, in the opinion of this Conference, the New South Wales and Victorian Governments should be urged to continue existing arrangements for the checking of border migration at Albury.

*Imperial Timber Bureau in London—Establishment of.* Resolved: That, in the opinion of this Conference, the time is not ripe for concerted action in connexion with the proposed Imperial Timber Bureau in London.

*Quinquennial Census.* Resolved: (1) That, in the opinion of this Conference, the Government of the Commonwealth should be urged to take, in the year 1916, an interim census limited to name, locality, and sex, as recommended by the conference of State Statisticians.

(2) That the attention of the Prime Minister be drawn to the estimate furnished by the New South Wales Statistician of the cost of such a census, viz., £65,000 approximately.

*Interstate Trade Statistics.* Resolved: That, in the opinion of this Conference, the Commonwealth Government should be urged to resume the collection of statistics of interstate trade.

*Railway Passes to ex-Ministers of Commonwealth.* Resolved: That, in the opinion of this Conference, the granting of passes to ex-Ministers of the Commonwealth should be made the subject of arrangement between the Commonwealth Government and the States in each individual case as it arises.



*Present System of Issuing Railway Passes to Wives of Members of Parliament.* Resolved: That, in the opinion of this Conference, the issue of free passes in favour of the wives of members of other State Parliaments should cover sleeping-berth accommodation.

*Recommendations of Conference of State Commissioners of Taxation.* Resolved: That the Conference cannot see its way to finally deal with the recommendations of the Interstate Commissioners of Taxation in respect of double payment of income tax, but recommends the matter to a conference of State Treasurers to be held before the assembling of the next Premiers' Conference.

*Precedence of British Naval Officers (case of Admiral Patey).* Resolved: That, in the opinion of this Conference, the matter of precedence to be granted to British naval officers commanding on the Australian station is one to be determined by His Majesty's representatives in each individual State.

*Uniform Company Law.* Resolved: That, in the opinion of this Conference, it is desirable there should be a uniform Company Law throughout the Commonwealth, and that this law should follow the English Companies Act as far as practicable.

The Attorney-General of New South Wales to forthwith prepare a Bill for submission to the Attorneys-General of each State, with a view to its early enactment in each of the States.

*American Meat Trust.* Resolved: That the States respectively continue inquiries into the alleged existence and effects of a Meat Combine in Australia, and also continue to consult together and interchange information thereon, and, if necessary, take combined legislative action to regulate the operations of the alleged and similar trusts.

*Jewellery—Hall Marking of.* Resolved: That, in the opinion of this Conference, it is desirable that the States should make proper provision for the hall-marking of gold and silver jewellery by uniform legislation in each of the States.

The Attorney-General of South Australia to forthwith prepare a Bill for submission to the Attorney-General of each State, with a view to its early enactment in each of the States.

*Gold Buyers—Uniform Legislation re.* Resolved: That it is desirable there should be uniform legislation with regard to the purchase and sale of gold, silver, and precious stones throughout the Commonwealth, and that such legislation should follow the Acts of Western Australia and Victoria.

The Attorney-General of Victoria to forthwith prepare a Bill for submission to the Attorneys-General of each State with a view to its early enactment by each of the States.

*Compulsory Acquisition of Crown Lands by Commonwealth.* Resolved: That the States object to the exercise of compulsory powers for the acquisition by the Commonwealth from the States of Crown lands.

*Footwear Regulation.* Resolved: That it is desirable there should be uniform legislation with regard to the manufacture and sale of footwear throughout the Commonwealth, and that the Law Officers of New South Wales and Victoria consult together and prepare a Bill to regulate such manufacture and sale for submission to the Parliaments of all the States. The conduct of such matter to be with New South Wales.

*Double Probate Duties.* Resolved: That this Conference is of opinion that double probate or succession duties should not be charged upon the estates of the deceased persons, and that the Commissioners of Taxes be requested to complete their inquiries with regard to the principles on which personal property is assessable to death duty. On completion of such inquiries it be left to the Attorney-General of Queensland to prepare and circulate suggested legislation for introduction in the various State Parliaments.

*Interchange of Powers and Reciprocal Assistance by Masters-in-Lunacy of the several States.* Resolved: That the several States pass legislation whereby the Lunacy Authority in the State in which a lunatic has property be empowered, at the request of the Lunacy Authority of a State in which the lunatic is confined, to deal with such property.

*Consular Appointments.* Resolved: That the practice in regard to the Consular appointments in the States which obtained, prior to 1911, under which the State Ministry took full responsibility in connexion with these appointments, be adhered to.

*Relation of Commonwealth to Immigration; and Assistance that may be arranged with the States.* Resolved: That this Conference has received with gratification the intimation made by the Commonwealth Government of its readiness to contribute a sum of £150,000 per annum to further the interests of immigration. Having regard to the various matters of policy, which will require to be considered in detail, the Conference agrees that the matter should form the subject of correspondence between the States, initiated by the Premier of New South Wales, as to the lines which should be adopted to allocate a definite function to the Commonwealth, as desired by the Prime Minister.

*Medical Inspection of Immigrants.* Resolved: That this Conference is of opinion that the regulations relating to the medical inspection under the Immigration Acts 1901-12, as proposed by the Commonwealth Government, will operate to impede the work of recruiting immigrants in Great Britain and elsewhere, and strongly urges that they should be modified in the directions which have been recommended by the Agents-General in consultation with States' emigration representatives in England; with the additional safeguard of a more rigorous examination of passengers at the port of embarkation by medical referees, to be appointed by the Commonwealth Health Bureau in Great Britain.

*Duty on Imported Superphosphates.* Resolved: That, whilst sympathising with the views of the South Australian representatives, this Conference feels that the question raised is one purely for the consideration of the Federal Parliament.

*Treasurers' Conference—Date of Meeting.* Resolved: That the convening of a conference of State Treasurers as early as possible be entrusted to the Premier of New South Wales.

**2. Murray River Waters Conference.**—On the occasion of the Premiers' Conference referred to above, the Premiers of New South Wales, Victoria, and South Australia, together with the Prime Minister of the Commonwealth, entered into the following agreement relative to the Murray River Waters. (See also p. 510.)

*Resolutions agreed to by the Prime Minister of the Commonwealth of Australia and the Premiers of the States of New South Wales, Victoria, and South Australia:—* With a view to the economical use of waters of the River Murray and its tributaries, for irrigation and navigation, and to the reconciling of the interest of the Commonwealth and the riparian States, it is resolved that an agreement between the Commonwealth and States of New South Wales, Victoria, and South Australia (herein called "this Agreement") be entered into, providing:—

(i.) That a system of storages be provided at Cumeroona or some other suitable site on the Upper Murray and at Lake Victoria, and that weirs and locks be constructed in the course of the River Murray from its mouth to Echuca; in the River Murrumbidgee from its junction with the River Murray to Hay, or alternatively to works in the River Murrumbidgee, an equivalent extent of weirs and locks in the River Darling, extending upstream from its junction with the River Murray.

(ii.) That the cost of the undermentioned works required to give effect to Resolution (i.), and estimated as follows:—

Nine weirs and locks from Blanchetown to Wentworth	...	£865,000
Seventeen weirs and locks from Wentworth to Echuca	...	1,700,000
Nine weirs and locks from the junction of the Rivers Murray and Murrumbidgee to Hay, or alternately an equivalent amount (£540,000) in locks and weirs from the junction of the River Darling with the River Murray upstream	...	540,000
Upper Murray storage	... ..	1,353,000
Lake Victoria storage	... ..	205,000
		£4,663,000

be borne to the extent of £1,000,000 by the Commonwealth, and as to the remainder in equal shares by the States of New South Wales, Victoria, and South Australia.

(iii.) That, if so desired by the State of New South Wales, there shall be substituted for the proposed weirs and locks in the River Murrumbidgee locks and weirs to the same estimated cost in the River Darling upstream from its junction with the River Murray.

(iv.) That the flow of the River Murray at Albury, including the natural or regulated flow of the Rivers Mitta and Kiewa, and as regulated by the Cumberoona storage, be shared equally by New South Wales and Victoria, subject to any quantity hereby agreed to be sent down the river for riparian use and for supply to South Australia.

(v.) That New South Wales and Victoria each have full use of her own tributaries below Albury, and have the right to store and divert the flows thereof, or alternatively, equivalent volumes from the River Murray below their affluences subject to provision from such tributaries, or her share of the flow at Albury, or both, of contributions towards the share hereby allotted to South Australia, and the allowance for riparian use on the main stream from the affluence of such tributary, or from Albury to Lake Victoria.

(vi.) That the proportion of the contribution by New South Wales and Victoria to the share hereby allotted to South Australia, and for riparian use in the main stream, be that which the mean natural flow of the tributaries of each State below Albury measured at the points of affluence with the River Murray, with half the actual mean flow at Albury added in each case bear to each other. In calculating the mean flow of the River Darling for this purpose a deduction shall be made to the extent of any water diverted by the State of Queensland.

(vii.) That the minimum quantity to be allowed to pass to South Australia in each year be sufficient to fill Lake Victoria storage once, and in addition to maintain, with the aid of the water returned from Lake Victoria, a regulated supply at Lake Victoria outlet of 134,000 acre feet per month during the months of January, February, November, and December; 114,000 acre feet per month for the months of March, September, and October; 94,000 acre feet per month for the months of April, May, and August, and 47,000 acre feet per month for the months of June and July, these being the provisions for irrigation equivalent to a regulated supply of 67,000 acre feet per month for nine months, and for domestic and stock supply, losses by evaporation and percolation in Lake Victoria, like losses and lockage in the river from Lake Victoria to the river mouth (but not including Lakes Alexandrina and Albert). Provided that these allowances and the allowance to the upstream States be reduced *pro rata* in such abnormal seasons as those of 1902 and 1903.

(viii.) That after the utilization by South Australia for irrigation of the volumes set forth in Resolution (vii.), or after the utilization by New South Wales and Victoria of 1,957,000 and 2,219,000 acre feet per annum respectively, whichever may first happen, a further volume may be allotted out of any surplus over the above specified allotments to the State of New South Wales, Victoria or South Australia, as the case may be, such further volumes to be determined by the Commission provided for herein.

(ix.) That the agreement entered into between the Premiers of New South Wales, Victoria, and South Australia, dated the 12th day of January, 1912, respecting storage works at Lake Victoria and certain works in, on, and near the River Murray, be confirmed, subject, however, to the modifications arising out of this agreement.

(x.) That the cost of any works jointly constructed by the States of New South Wales and Victoria in the River Murray above Echuca, for the purpose of diversion of water allotted to them under this agreement, shall be borne by the States of New South Wales and Victoria in proportion to the volume of water proposed to be diverted into each of said States by such works.

(xi.) That a Commission of four members to be called the River Murray Commission be appointed immediately after the ratifying of this agreement by the Commonwealth and States Parliaments concerned, one commissioner to be appointed by the Governor-General of Australia, one by the Governor of New South Wales, one by the Governor of Victoria, and one by the Governor of South Australia. The Commission shall carry into effect the provisions of this Agreement.

(xii.) That the works provided for in Resolution (ii.) be constructed by the State of South Australia from Blanchetown to Wentworth, by the State of New South Wales on the Murrumbidgee or Darling, as the case may be, and by the States of New South Wales and Victoria on the River Murray, under the direction of the Commission provided for herein and subject to the approval of all designs by the said Commission.

(xiii.) That the construction of the works mentioned in Resolution (ii.) of this agreement shall be commenced by each of the States, as provided in Resolution (xii.), as soon as may be after the ratification of this agreement by the Parliaments of the Commonwealth and the States respectively, and vigorously proceeded with until completion.

(xiv.) And that this agreement be submitted for ratification to the Parliaments of the Commonwealth and the States respectively during the next sessions of the said respective Parliaments, and is subject to such ratification.

**3. Treasurers' Conference.**—In accordance with the resolution passed by the Premiers' Conference previously referred to, a meeting of State Treasurers was held in Melbourne in May 1914. With reference to the question of the Commonwealth Bank in relation to the States Savings Banks, the following resolution was carried, and subsequently accepted by the Prime Minister on behalf of the Commonwealth:—

Resolved: That with a view to the termination of the present competition of the Savings Banks of the Commonwealth and of the States of New South Wales, Victoria, Queensland and South Australia, on a date to be determined as hereinafter proposed, the following proposals be submitted to the Commonwealth Government:—

- (1) With respect to the States of New South Wales, Victoria, and South Australia, there be transferred to the Commonwealth Bank a share equal to at least 60 per cent. of the current banking accounts of such States at the expiration of the period necessary for the termination of present agreements, this share of the banking business to include a proportionate part of the exchange business, both interstate and London. The remaining 40 per cent. of such business to be transferred upon the Commonwealth Bank undertaking 10 per cent. of the underwriting of new loan flotations if required to do so, and making satisfactory provision for the discharge of the business of the States, in all parts of the States, on terms and conditions as favourable as those existing at present.
- (2) With respect to the four States before named, there be continued with the Commonwealth Bank as fixed deposits, for a period of ten years or a shorter period at the option of the Commonwealth, from the date of the withdrawal of the Commonwealth from Savings Bank business, and thereafter, as mutually agreed upon between the Commonwealth and the individual States, a sum equivalent to the sum held by the Commonwealth Bank as Savings Bank deposits at such date. The interest payable on such deposits by the Commonwealth Bank to each of the respective States to be the interest paid by each State, plus the average working expenses of the Savings Bank of such State.

- (3) With respect to the State of Queensland, which is at present bound by agreement to continue its current account business with the Queensland National Bank until 30th June, 1921, the State to deposit at current rates of interest within 12 months from a date to be fixed, the sum of £250,000 as a further fixed deposit with the Commonwealth Bank, and to increase that sum to a total of £500,000 within three years from such date. In the event of the agreement with the Queensland National Bank being terminated by mutual consent at a date earlier than 30th June, 1921, Queensland to transfer her current account business to the Commonwealth Bank at such earlier date, but, otherwise, on 30th June, 1921. Such transfer to be either 60 per cent., or the total of her current account, in accordance with the arrangements existing between the Commonwealth Bank and the States of New South Wales, Victoria, and South Australia at the time of such transfer, and on completion of such transfer of current accounts such further fixed deposit to be released.

That the foregoing arrangements shall be effectuated by (1) preliminary legislation by the Commonwealth to be brought into operation by proclamation; (2) the necessary steps, administrative and legislative, being thereupon taken by the co-operating States; (3) the competition between the Savings Banks of the Commonwealth and the States ceasing by such proclamation in the four co-operating States concurrently with the transfer of current account business by the three States of Victoria, New South Wales, and South Australia.

#### ADDENDA.

- (1) The representative of Western Australia did not join in the foregoing resolutions, preferring for the present to seek full partnership between the Commonwealth and the States in all activities of the Commonwealth Bank.
- (2) The representative of Tasmania did not participate, as competition between Commonwealth and State Banks does not exist in that State, but expressed himself on behalf of his Government as willing to consider the resumption of Savings Bank business in the event of the Commonwealth withdrawing therefrom throughout the States.

In conjunction with the Commonwealth Treasurer, the State Treasurers also discussed the question of the Transfer of State Debts, and the following resolution was passed:—

Resolved: (1) That in the opinion of this Conference, the operations connected with the redemption of existing loans and of new flotations are so intimately connected that no scheme of debt transfer would be satisfactory which did not cover both.

(2) That at present no definite conclusion as to the best method of dealing with the transfer of control over future flotations can be formulated, the divergent views of the States being incapable of immediate reconciliation.

(3) That the Conference therefore recommends the matter to the careful consideration of the Federal and State Governments, with a view to further conference.