

1932.

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA,  
CANBERRA.

VOTES AND PROCEEDINGS  
OF THE  
HOUSE OF REPRESENTATIVES.

No. 44.

FRIDAY, 23RD SEPTEMBER, 1932.

1. The House met, at half-past ten o'clock a.m., pursuant to adjournment.—Mr. Speaker (the Honorable G. H. Mackay) took the Chair, and read Prayers.
2. ALTERATION OF DAY OF NEXT MEETING.—Mr. Latham (Attorney-General) moved, That the House, at its rising, adjourn until Wednesday next at three o'clock p.m.  
Question—put and passed.
3. PAPERS.—The following Papers were presented, by command of His Excellency the Governor-General—  
Tariff Board—Reports and Recommendations—  
Bunker Coal.  
Piece Goods in the Gray or Undyed State.  
Road-making Material, including Bitumen and Bitumastic Emulsion.  
Severally ordered to lie on the Table, and to be printed.
4. FINANCIAL EMERGENCY BILL (1932).—The Order of the Day having been read for the further consideration of this Bill in Committee of the whole House—Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole.

(In the Committee.)

Clause 12 debated—

*Limitation of Debate.*—At 1 o'clock p.m., the Chairman having called the attention of the Committee to the fact that the time allotted for the consideration of the Committee stage of the Bill, to the end of clause 18, had expired—

Question—That clauses 12 to 18, as amended by the printed and circulated amendments of the Government, be agreed to—put.

The Committee divided (The Chairman, Mr. Bell, in the Chair)—

Ayes, 40.

Mr. Aubrey Abbott	Mr. Lyons
Mr. Blacklow	Mr. Marr
Mr. Malcolm Cameron	Mr. Maxwell
Mr. Casey	Mr. McClelland
Mr. Dein	Mr. McGrath
Mr. Dennis	Mr. Nairn
Mr. Josiah Francis	Mr. Nock
Mr. Gibson	Mr. Parkhill
Mr. Gregory	Mr. Thomas Paterson
Mr. Guy	Mr. Perkins
Mr. E. F. Harrison	Mr. Price
Mr. E. J. Harrison	Mr. Prowse
Mr. Hawker	Mr. Scholfield
Mr. Hill	Mr. Stacey
Mr. Holman	Mr. Frederick Stewart
Mr. Hutchin	Mr. Thorby
Mr. Hutchinson	Mr. White
Mr. Jennings	
Mr. Lane	<i>Tellers:</i>
Mr. Latham	Mr. Gardner
Mr. John Lawson	Mr. McNicoll

Noes, 25.

Mr. Anstey	Mr. George Lawson
Mr. Baker	Mr. Makin
Mr. Beasley	Mr. W. Maloney
Mr. Blakeley	Mr. Martens
Mr. Thomas Collins	Mr. Riordan
Mr. Bernard Corser	Mr. Rosevear
Mr. Forde	Mr. Scullin
Mr. Gabb	Mr. Ward
Mr. Albert Green	Mr. William Watson
Mr. Roland Green	
Sir Littleton Groom	<i>Tellers:</i>
Mr. Holloway	Mr. Gander
Mr. Hunter	Mr. Watkins
Mr. James	

And so it was resolved in the affirmative.

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The printed and circulated amendments of the Government were accordingly made in the Bill, and are as follows :—

Page 4, omit clause 12, insert the following clause :—

“ 12. Section thirty-four of the Principal Act is amended by omitting paragraph (a) and inserting in its stead the following paragraph :—

“(a) by omitting paragraph (d) of the definition of “ Income ” and inserting in its stead the following paragraph :—

“(d) By way of gift or allowance from the husband, wife, father, mother or children of that person.” ; and ’.”

Page 4, clause 13, before the proposed new section 6A insert the following section :—

“ 6AA.—(1.) A Commissioner may, by writing under his hand, delegate <sup>Delegation by</sup> to a Deputy Commissioner all or any of his powers or functions under this Act <sup>Commissioner.</sup> (except this power of delegation) so that the delegated powers or functions may be exercised by the Deputy Commissioner with respect to the matters specified in the instruments of delegation.

“(2.) Every delegation under this section shall be revocable at will but any delegation shall not prevent the exercise of any power or function by the Commissioner.”.

Page 5, clause 14, line 28, omit “ Provided further that when the income of a pensioner is ”, insert “ Provided further that where by virtue of the provisions of this Act a pensioner or claimant is eligible for a pension at the rate of Thirty-nine pounds per annum and is in receipt of an income ”.

Page 5, clause 14, at the end of the clause add the following proviso :—

“ Provided also that, for the purposes of the last preceding proviso, the income of a person shall be deemed to include any payment by way of gift or allowance from the husband, wife, father, mother or children of that person.”

Page 6, clause 18, lines 47-48, omit “ the pensioner and (as the case may be) the wife or husband or the pensioner ”, insert “ they and each of them ”.

Page 7, clause 18, lines 2-3, omit “ the pensioner and to the wife or husband of the pensioner as the case may be,” insert “ them or either of them.”.

Page 7, clause 18, lines 28-29, omit “ the amount of pension paid to him after the commencement of this section ”, insert “ and upon the death of a person who, after the commencement of this section, ceased to be a pensioner, the amount of pension paid to the pensioner or person after the commencement of this section, and not repaid to the Commissioner under the foregoing provisions of this Part ”.

Page 8, clause 18, line 7, after “ contributed ” insert “ , either voluntarily or compulsorily,”.

Page 9, clause 18, lines 24-26, omit “ shall send a notice to every such relative requiring him to furnish in a prescribed form a declaration as to his means and ability ”, insert “ may, from time to time, send by post a notice to every such relative requiring him, within the time limited in the notice, to make a proposal in writing for a voluntary contribution towards such cost, or furnish in a prescribed form a declaration as to his means and ability ”.

Page 9, clause 18, after sub-section (1.) of proposed new section 52M insert the following sub-section :—

“(1A.) If within the time specified in the notice the relative makes a proposal for such a voluntary contribution, the Deputy Commissioner shall consider it, and if he is of opinion that the proposal (as originally made or as subsequently amended with the consent of the Deputy Commissioner) is fair in all the circumstances, he may, with or without requiring the relative to furnish a declaration as to his means and ability, accept from the relative an undertaking in writing in the prescribed form to pay to the Deputy Commissioner during the continuance of the pension, at the rates specified in the undertaking, a voluntary contribution towards the cost of the pension, and thereafter, so long as the relative continues to contribute at those rates, the following provisions of this section shall not apply in relation to any contribution by that relative towards the cost of that pension, unless and until a further notice is sent to the relative in accordance with the last preceding sub-section.”.

Page 9, clause 18, lines 27-30, omit “ If any relative does not furnish such declaration within the time limited in the notice, or if it appears to a Deputy Commissioner that any such relative is able and ought to contribute but is not willing to do so ”, insert—

“ If—

(a) the relative does not, within the time limited in the notice, make either a proposal or a declaration in accordance with sub-section (1.) of this section ; or

(b) no proposal for a voluntary contribution has been made by the relative, or any proposal made has not been accepted by the Deputy Commissioner ”.

Page 10, clause 18, line 3, after “ him ” insert “ and to any allowance which the court is satisfied the relative will make towards the maintenance of the pensioner without any order being made under this section ”.

Page 10, clause 18, lines 36-37, omit “ Any case under this section may, if the court thinks fit, be heard in private ”, insert “ A court shall hear *in camera* any case arising under this section ”.

Ordered—That clauses 19 and 20 be considered together.

Clauses 19 and 20 debated—

Mr. Gregory moved, as an amendment, That the words “ Five pounds ten shillings ” (page 11, clause 20, line 43) be omitted with a view to the insertion of the words “ Six pounds ” in place thereof.

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*Point of Order.*—Mr. Latham (Attorney-General) rose to a point of order that the amendment proposed to increase the expenditure proposed by the Bill.

*Chairman's Ruling.*—The Chairman upheld the point of order on the ground as stated.

Debate continued.

*Limitation of debate.*—At half-past three o'clock p.m., the Chairman having called the attention of the Committee to the fact that the time allotted for the consideration of the remainder of the Committee stage of the Bill had expired—

*Question.*—That the remainder of the Bill be agreed to, and that the Bill be reported with amendments—put and passed.

The House resumed; Mr. Bell reported accordingly.

Mr. Beasley moved, That the Bill be now recommitted to a Committee of the whole House for the reconsideration of clauses 6 to 18.

Debate ensued.

*Limitation of Debate.*—At fifteen minutes to four o'clock p.m., the Speaker having called the attention of the House to the fact that the time allotted for the consideration of the remaining stages of the Bill had expired—

*Question.*—That the Bill be now recommitted to a Committee of the whole House for the reconsideration of clauses 6 to 18—put.

The House divided (The Speaker, Mr. Mackay, in the Chair)—

Ayes, 21.		Noes, 42.	
Mr. Anstey	Mr. W. Maloney	Mr. Aubrey Abbott	Mr. John Lawson
Mr. Baker	Mr. Martens	Mr. Bell	Mr. Lyons
Mr. Beasley	Mr. Riordan	Mr. Blacklow	Mr. Marr
Mr. Blakeley	Mr. Rosevear	Mr. Malcolm Cameron	Mr. Maxwell
Mr. Bernard Corser	Mr. Scullin	Mr. Casey	Mr. McClelland
Mr. Forde	Mr. Ward	Mr. Thomas Collins	Mr. McGrath
Mr. Gabb	Mr. William Watson	Mr. Dein	Mr. Nairn
Mr. Albert Green		Mr. Dennis	Mr. Nock
Mr. Holloway	<i>Tellers:</i>	Mr. Josiah Francis	Mr. Parkhill
Mr. James	Mr. Gander	Mr. Gibson	Mr. Thomas Paterson
Mr. George Lawson	Mr. Watkins	Mr. Gregory	Mr. Perkins
Mr. Makin		Sir Littleton Groom	Mr. Price
		Mr. Guy	Mr. Prowse
		Mr. E. F. Harrison	Mr. Scholfield
		Mr. E. J. Harrison	Mr. Stacey
		Mr. Hill	Mr. Frederick Stewart
		Mr. Holman	Mr. Thorby
		Mr. Hutchin	Mr. White
		Mr. Hutchinson	
		Mr. Jennings	<i>Tellers:</i>
		Mr. Lane	Mr. Gardner
		Mr. Latham	Mr. McNicoll

And so it was negatived.

Further question—That the Report be adopted—put and passed.

Further question—That the Bill be now read a third time—put.

The House divided (The Speaker, Mr. Mackay, in the Chair)—

Ayes, 41.		Noes, 24.	
Mr. Aubrey Abbott	Mr. Lyons	Mr. Anstey	Mr. George Lawson
Mr. Bell	Mr. Marr	Mr. Baker	Mr. Makin
Mr. Blacklow	Mr. Maxwell	Mr. Beasley	Mr. W. Maloney
Mr. Malcolm Cameron	Mr. McClelland	Mr. Blakeley	Mr. Martens
Mr. Casey	Mr. McGrath	Mr. Thomas Collins	Mr. Riordan
Mr. Dein	Mr. Nairn	Mr. Bernard Corser	Mr. Rosevear
Mr. Dennis	Mr. Nock	Mr. Forde	Mr. Scullin
Mr. Josiah Francis	Mr. Parkhill	Mr. Gabb	Mr. Ward
Mr. Gibson	Mr. Thomas Paterson	Mr. Albert Green	Mr. William Watson
Mr. Gregory	Mr. Perkins	Mr. Roland Green	
Mr. Guy	Mr. Price	Sir Littleton Groom	<i>Tellers:</i>
Mr. E. F. Harrison	Mr. Prowse	Mr. Holloway	Mr. Gander
Mr. E. J. Harrison	Mr. Scholfield	Mr. James	Mr. Watkins
Mr. Hawker	Mr. Stacey		
Mr. Hill	Mr. Frederick Stewart		
Mr. Holman	Mr. Thorby		
Mr. Hutchin	Mr. White		
Mr. Hutchinson			
Mr. Jennings	<i>Tellers:</i>		
Mr. Lane	Mr. Gardner		
Mr. Latham	Mr. McNicoll		
Mr. John Lawson			

And so it was resolved in the affirmative.—Bill read a third time.

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5. MINISTERIAL STATEMENT—RESIGNATION OF MINISTER FOR COMMERCE (MR. HAWKER).—Mr. Lyons (Prime Minister), by leave, made a Ministerial Statement announcing the resignation of the Hon. C. A. S. Hawker as Minister for Commerce, and informing the House that pending the appointment of a successor the Assistant Minister for Trade and Customs (The Hon. J. A. Perkins) would act as Minister for Commerce.
6. MINISTERIAL STATEMENT—TAXATION ROYAL COMMISSION.—Mr. Lyons (Prime Minister), by leave, made a Ministerial Statement announcing that Mr. E. V. Nixon would act with Mr. Justice Ferguson as a Royal Commission appointed to examine both Federal and State taxation law with a view to the simplification and standardization of direct taxation legislation.
7. ADJOURNMENT.—Mr. Lyons (Prime Minister) moved, That the House do now adjourn.  
Debate ensued.  
Question—put and passed.

And then the House, at fifteen minutes past four o'clock p.m., adjourned until Wednesday next at three o'clock p.m.

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MEMBERS PRESENT.—All Members were present (at some time during the sitting) except—Mr. Bruce\*, Mr. Fenton, Mr. Gullett, Mr. Hughes\*, Mr. McBride, Mr. Nelson, Mr. Earle Page, Mr. E. C. Riley, and Mr. Thompson.

\* On leave.

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E. W. PARKES,  
*Clerk of the House of Representatives.*