

1917-18-19.

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA.

No. 140.

VOTES AND PROCEEDINGS

OF THE

HOUSE OF REPRESENTATIVES.

THURSDAY, 7TH AUGUST, 1919.

1. The House met, at half-past two o'clock p.m., pursuant to adjournment.—Mr. Speaker took the Chair, and read Prayers.
2. ADJOURNMENT—MOTION FOR PURPOSE OF DISCUSSION.—Mr. Jowett rose in his place, and said that he proposed to move the adjournment of the House for the purpose of discussing a definite matter of urgent public importance, namely, "To consider the grave disabilities experienced by residents of the country districts of Australia owing to—
 - (a) the closing of many country post offices and the reduction of many postal facilities;
 - (b) the absence of adequate telephone facilities in many country districts."
 Mr. Speaker thereupon called upon those Members who approved of the proposed discussion to rise in their places, and more than the necessary number of Members having risen accordingly—
Mr. Jowett moved, That the House do now adjourn.
Debate ensued.
It being two hours after the time fixed for the meeting of the House, the debate was interrupted in accordance with Standing Order No. 119, and the Business of the Day was called on.
3. MORATORIUM BILL.—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.)

The Second Schedule—

Mr. Groom moved, as an amendment, That the following paragraph be inserted after paragraph 9 :—

"9A.—(1) Notwithstanding anything contained in these Regulations any Court may, upon the application of the mortgagor or purchaser made not less than one month before the date to which the payment of—

- (a) the principal money secured by a mortgage, or
- (b) the purchase money (or any instalment thereof) payable under an agreement,

has been postponed under these Regulations (in this regulation referred to as 'the prescribed date for payment') make an order, on such terms and conditions (if any) as the Court thinks fit, extending the date for payment of the principal money, purchase money, or instalment, as the case may be, for a further period of not more than twelve months, and may fix the intervals of time and rate at which interest is payable during such further period.

"(2) In this regulation 'the Court' means the High Court, or the Supreme Court of a State, or a County or District Court, or a Local Court consisting of a Special or Stipendiary Magistrate.

"(3) An application under this regulation, other than an application to a Local Court, may be made on summons, which must be served on, or by motion, which must be notified to, such persons as the Court considers entitled thereto, or *ex parte* in any case in which by reason of special circumstances the Court considers such procedure to be just and equitable; and an application to a Local Court may be made on summons, which must be served on all persons affected by the application at least seven clear days before the day appointed for the hearing of the application.

Extension of
time in cases of
hardship to
mortgagor or
purchaser.
Inserted by
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- “ (4) An application under this regulation shall not be granted unless the Court is satisfied—
- (a) that the obligation to repay the principal sum, purchase money or instalment, as the case may be, by the prescribed date for payment would involve serious hardship to the mortgagor or purchaser ;
 - (b) that the conduct of the mortgagor or purchaser in respect of dealings with the mortgagee or vendor has not been such as to render him undeserving of the benefit or protection of this regulation ; and
 - (c) that the granting of the application would not seriously embarrass the mortgagee or vendor.

“ (5.) The jurisdiction conferred on the Court by this regulation may be exercised by a Justice or Judge of the Court sitting either in Court or in Chambers, or, in the case of a Local Court, by a Special or Stipendiary Magistrate.

“ (6) The Court may make all such orders in the matter of the application, including any order as to costs, as having regard to the objects of these Regulations and the circumstances of the case, it deems proper :

Provided that the costs of the application shall be borne by the applicant unless, from the circumstances of the case, the Court thinks fit to order otherwise.

“ (7) The order of the Court upon any such application shall be final ; and no order or direction, whether interlocutory or final, in the matter of any such motion, and no other proceeding under this regulation, shall be appealed against, questioned, or reviewed in any manner whatsoever, or be restrained or removed by prohibition, injunction, *certiorari*, or otherwise howsoever.

“ (8) Where, in pursuance of this regulation, a Court has made an order extending for any period the date for payment of any instalment payable under any agreement, the Court may, by the same or a subsequent order, extend for a like period the date for payment of any subsequent instalment payable under that agreement, and fix the intervals of time and rate at which interest is payable during that period.”

Amendment agreed to.

The Second Schedule, as amended, agreed to.

Preamble debated and agreed to.

Title agreed to.

Bill to be reported with amendments.

The House resumed ; Mr. Chanter reported accordingly.

Mr. Groom moved, That the Bill be now recommitted to a Committee of the whole House for the reconsideration of clause 3.

Question—put and passed.

Mr. Speaker left the Chair, and the House again resolved itself into a Committee of the Whole.

(In the Committee.)

Recommitted clause 3—

On the motion of Mr. Groom, the following amendments were made in the clause :—

Page 2, clause 3, line 28, omit “ and 173 ”, insert “ 173 and ”.

Page 2, clause 3, line 35, omit “ and 172 ”, insert “ 172 ”.

Page 2, clause 3, line 36, omit “ thirtieth day of June ”, insert “ thirty-first day of July ”.

Clause, as amended, agreed to.

Bill to be reported with further amendments.

The House resumed ; Mr. Chanter reported accordingly.

Mr. Groom moved, pursuant to contingent notice, That the Standing Orders be suspended to enable the remaining stages to be passed without delay.

Question—put and passed.

On the motion of Mr. Groom the Reports were adopted and, after debate, the Bill was read a third time.

4. INSTITUTE OF SCIENCE AND INDUSTRY BILL.—The Order of the Day having been read for the second reading—Mr. Groom moved, That the Bill be now read a second time.

Mr. Tudor moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and passed.

Ordered—That the resumption of the debate be made an Order of the Day for to-morrow.

5. PUBLIC WORKS COMMITTEE—REFERENCE OF COMMONWEALTH NOTE PRINTING OFFICES.—The Order of the Day having been read for the resumption of the debate on the following motion of Mr. Groom—That, in accordance with the provisions of the *Commonwealth Public Works Committee Act 1913-1914*, the following work be referred to the Parliamentary Standing Committee on Public Works for their report thereon, namely :—Erection of Commonwealth Note Printing Offices on the site recently acquired in Victoria-parade, Fitzroy, Melbourne—and on the Amendment moved thereto by Mr. Charlton, viz.:—“ That all the words after the word ‘ Offices ’ be omitted ”—

Debate resumed.

Mr. Sampson moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and passed.

Ordered—That the resumption of the debate be made an Order of the Day for to-morrow.

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6. **POSTPONEMENT OF BUSINESS.**—Ordered, That the intervening Business be postponed until after the consideration of Notice of Motion No. 2, Government Business.
7. **CUSTOMS BILL (1919).**—Mr. Greene moved, pursuant to notice, That he have leave to bring in a Bill for an Act to amend the *Customs Act* 1901-1916.
Question—put and passed.
Mr. Greene brought up the Bill accordingly, and moved, That it be now read a first time.
Question—put and passed.—Bill read a first time.
Ordered—That the second reading be made an Order of the Day for to-morrow.
8. **ADJOURNMENT.**—Mr. Groom moved, That the House do now adjourn.
Debate ensued.
Question—put and passed.

And then the House, at nineteen minutes past ten o'clock p.m., adjourned until to-morrow at eleven o'clock a.m.

MEMBERS PRESENT.—All Members were present (at some time during the sitting) except—
Lieut.-Col. Abbott, Mr. Bamford, Mr. Bruce*, Mr. J. H. Catts*, Mr. Considine, Sir Joseph Cook*,
Mr. Corboy, Mr. Falkiner, Mr. R. W. Foster, Mr. Heitmann*(a), Mr. Hughes*, Mr. Jensen,
Mr. Nicholls*, Mr. Palmer, Major-General Ryrie*(a), and Mr. Wallace.

* On leave.

(a) Absent with Australian Imperial Force.

WALTER A. GALE,
Clerk of the House of Representatives.