

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA,  
CANBERRA.

VOTES AND PROCEEDINGS

OF THE

HOUSE OF REPRESENTATIVES.

No. 143.

WEDNESDAY, 4TH JULY, 1934.

1. The House met, at three o'clock p.m., pursuant to adjournment.—Mr. Speaker (the Honorable G. H. Mackay) took the Chair, and read Prayers.
2. MESSAGE FROM THE SENATE.—CUSTOMS TARIFF (NEW ZEALAND PREFERENCE) BILL (1934).—Mr. Speaker announced the receipt of the following Message from the Senate :—  

<p>MR. SPEAKER,</p> <p>The Senate returns to the House of Representatives the Bill for "<i>An Act to amend the Customs Tariff (New Zealand Preference) 1933</i>", and acquaints the House that the Senate has agreed to the Bill without requests.</p> <p>The Senate, Canberra, 29th June, 1934.</p>	<p>Message No. 152.</p> <p>P. J. LYNCH, President.</p>
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3. MESSAGE FROM THE GOVERNOR-GENERAL.—ASSENT TO BILLS.—The following Message from His Excellency the Governor-General was received, and the same was read by Mr. Speaker :—  

<p>ISAAC A. ISAACS, Governor-General.</p> <p>Proposed Laws intituled :—  "Supply Act (No. 1) 1934-35"  "Customs Tariff (New Zealand Preference) 1934"  as finally passed by the Senate and the House of Representatives of the Commonwealth, having been presented to the Governor-General for the Royal Assent, His Excellency has, in the name and on behalf of His Majesty, assented to the said Laws.</p> <p>Canberra, 30th June, 1934.</p>	<p>Message No. 91.</p>
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4. PAPERS.—The following Papers were presented, by command of His Excellency the Governor-General—International Labour Organization of the League of Nations—Seventeenth Conference, held at Geneva, June, 1933—  
Reports of the Australian Delegates.  
Ordered to lie on the Table, and to be printed.  
Draft Conventions and Recommendations adopted.  
Ordered to lie on the Table.
5. WAR SERVICE HOMES (SOUTH AUSTRALIA) AGREEMENT BILL.—Mr. Latham (Attorney-General), for Mr. Josiah Francis (Minister administering War Service Homes), pursuant to leave given on the 29th June last, brought up a Bill intituled "*A Bill for an Act to approve an Agreement made between His Majesty's Government of the Commonwealth of Australia and His Majesty's Government of the State of South Australia, and for other purposes*", 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 the next sitting.
6. DISTILLATION BILL (1934).—Mr. White (Minister for Trade and Customs), pursuant to leave given on the 29th June last, brought up a Bill intituled "*A Bill for an Act to amend the 'Distillation Act 1901-1931'*", and moved, That it be now read a first time.  
Question—put and passed.—Bill read a first time.  
Mr. White moved, by leave, That the second reading be made an Order of the Day for a later hour this day.  
Question—put and passed.
7. MINISTERIAL STATEMENT—DATE OF GENERAL ELECTION.—Mr. Lyons (Prime Minister), by leave, made a Ministerial Statement informing the House that the Government intended to advise His Excellency the Governor-General to dissolve the House in sufficient time for a General Election to take place on the 15th September next.

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8. ADJOURNMENT-MOTION FOR PURPOSE OF DISCUSSION.—Mr. Nelson 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, "The unwarranted public condemnation of the Northern Territory by Dr. J. A. Gilruth".

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. Nelson moved, That the House do now adjourn.

Debate ensued.

Question—put and negatived.

9. PAPERS.—The following Papers were presented, pursuant to Statute—

Air Force Act—Regulations Amended—Statutory Rules 1934, No. 74.

Defence Act—Royal Military College—Report for 1933.

Excise Act—Regulations Amended—Statutory Rules 1934, No. 65.

Invalid and Old-age Pensions Act—Regulations Amended—Statutory Rules 1934, No. 59.

Seat of Government Acceptance Act and Seat of Government (Administration) Act—Nurses Registration Ordinance—Regulations Amended.

10. CUSTOMS 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.)

Postponed clause 16, as amended, further considered.

Mr. Nairn moved, as a further amendment, That the following sub-clause be added to the clause:—

"(3.) All resolutions imposing duties of Customs shall cease to have effect if not ratified by Parliament within six months from the date of the introduction of the resolutions."

Debate ensued.

Amendment negatived.

Question—That the clause, as amended, be agreed to—put:

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

Ayes, 46.

Noes, 18.

Mr. Aubrey Abbott	Mr. Maxwell
Mr. Blacklow	Mr. McBride
Mr. Malcolm Cameron	Mr. McClelland
Mr. Casey	Mr. McNicoll
Mr. Thomas Collins	Mr. Nairn
Mr. Dein	Mr. Nock
Mr. Dennis	Mr. Earle Page
Mr. J. V. Fairbairn	Mr. Parkhill
Mr. Gabb	Mr. Thomas Paterson
Mr. Gibson	Mr. Perkins
Mr. Roland Green	Mr. Price
Mr. Gregory	Mr. Prowse
Sir Henry Gullett	Mr. Scholfield
Mr. Guy	Mr. Stacey
Mr. E. F. Harrison	Mr. Frederick Stewart
Mr. E. J. Harrison	Mr. Thompson
Mr. Hawker	Mr. Thorby
Mr. Hill	Mr. William Watson
Mr. Hutchin	Mr. White
Mr. Hutchinson	
Mr. Jennings	
Mr. Lane	<i>Tellers:</i>
Mr. Latham	
Mr. John Lawson	Mr. Gardner
Mr. Lyons	Mr. Hunter

Mr. Baker
Mr. Beasley
Mr. Blakeley
Mr. Bernard Corser
Mr. Fenton
Mr. Forde
Mr. Albert Green
Mr. Holloway
Mr. James
Mr. George Lawson
Mr. Makin
Mr. Riordan
Mr. Rosevear
Mr. Scullin
Mr. Ward
Mr. Watkins

*Tellers:*

Mr. Gander  
Mr. E. C. Riley

And so it was resolved in the affirmative.

Title agreed to.

Bill to be reported with amendments.

The House resumed; Mr. Bell reported accordingly.

Mr. White (Minister for Trade and Customs) moved, by leave, That the Bill be now recommitted to a Committee of the whole House for the reconsideration of clauses 1A and 22, and the consideration of proposed new clauses 10A and 21A.

Question—put and passed.

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

(In the Committee.)

On recommitment—

Clause 1A omitted.

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## Clause 22—

On the motion of Mr. White, the following amendment was made :—

Page 6, proposed new section 278, omit " Act " (wherever occurring), insert " section ".

Clause, as amended, agreed to.

## New clauses—

On the motion of Mr. White, the following new clauses were inserted in the Bill :—

" 10A. After section one hundred and thirty-one of the Principal Act the following section is inserted :—

' 131A. Fish and other goods the produce of the sea which are caught or gathered by a vessel which—

(a) is registered in Australia, and

(b) was fitted out for the voyage during which those fish or goods were caught or gathered at a port or place in Australia,

Fish caught by Australian vessel not subject to duty or Customs control.

shall not, when brought into Australia by that vessel, or by a tender (which is registered in Australia) of that vessel, be liable to any duty of Customs, or be subject to the control of the Customs.' "

" 21A. After section two hundred and fifty-eight of the Principal Act the following section is inserted :—

' 258A.—(1.) Where any convicted person has, whether before or after the commencement of this section, been released in pursuance of section two hundred and fifty-eight of this Act upon his giving security for the payment of the pecuniary penalty adjudged to be paid by him, and the penalty has not been paid, or part only thereof has been paid, the prosecutor or plaintiff may apply to the Court for an order committing the offender to gaol until the penalty, or the balance thereof, as the case may be, has been paid, and the Court shall, if it is satisfied that enforcement of the security is impracticable or would occasion hardship to the surety, make an order accordingly.

Offender may be committed to gaol if security not enforced.

' (2.) The provisions of section two hundred and sixty of this Act shall apply to the imprisonment of an offender for whose committal to gaol an order has been made in pursuance of this section :

Provided that, in the calculation of the period at the expiration of which the defendant is to be discharged, there shall be taken into account any period of imprisonment served by the defendant prior to his release upon his giving security for the payment of the penalty :

Provided further, that where the penalty has been paid in part, the amount of penalty, for the purposes of the table contained in section two hundred and sixty of this Act, shall be the unpaid balance of the penalty.

' (3.) Notice of an application under this section shall be served upon the convicted person.' "

Bill to be reported with further amendments.

The House resumed ; Mr. Bell reported accordingly.

On the motion of Mr. White, by leave, the House adopted the Reports, and, by leave, the Bill was read a third time.

## 11. DISTILLATION BILL (1934).—The Order of the Day having been read for the second reading—Mr. White (Minister for Trade and Customs) moved, That the Bill be now read a second time.

Mr. Forde 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 the next sitting.

## 12. ELECTORAL DIVISIONS OF SOUTH AUSTRALIA—PROPOSED REDISTRIBUTION.—Mr. Perkins (Minister for the Interior) moved, by leave, That the House of Representatives approves of the distribution of the State of South Australia into electoral divisions as proposed by Messrs. G. P. Howie, J. H. McNamara, and G. E. Willson, Commissioners for the purpose of distributing the said State into divisions, in their report laid before Parliament on the 28th day of June, 1934, and that the names of the divisions suggested in the report be adopted.

Debate ensued.

Mr. Earle Page moved, as an amendment, That all the words after " That " be omitted with a view to inserting the following words in place thereof :—

" consideration of the approval of the distribution as proposed be postponed pending an amendment of section ten of the *Representation Act* 1905 by omitting therefrom all words after ' division ' and inserting in their stead the following words :—

' in the case of a State having ten or more Members there is a remainder greater than one-half of the quota, one more Member shall be chosen in the State, and, in the case of a State having less than ten Members, there is a remainder greater than .3 of the quota, one more Member shall be chosen in the State ' "

Debate continued.

Mr. Parkhill (Postmaster-General) 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 the next sitting

## 13. ADJOURNMENT.—Mr. Parkhill (Postmaster-General) moved, That the House do now adjourn.

Debate ensued.

Question—put and passed.

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

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**MEMBERS PRESENT.**—All Members were present (at some time during the sitting) except—Mr. Hughes, Mr. W. Maloney, Mr. Marr, Mr. Martens, and Mr. McGrath.

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