

1937-38.

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA,
CANBERRA.

VOTES AND PROCEEDINGS
OF THE
HOUSE OF REPRESENTATIVES.

No. 30.

THURSDAY, 16TH JUNE, 1938.

1. The House met, at half-past ten o'clock a.m., pursuant to adjournment.—Mr. Speaker (the Honorable G. J. Bell) took the Chair, and read Prayers.
2. NATIONAL HEALTH AND PENSIONS INSURANCE BILL 1938.—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.)

Clauses 88 to 103, by leave, taken together.

Mr. Drakeford moved, as an amendment, clause 95, page 23, line 44, before "including" insert "not".
Debate ensued.

Question—That the amendment be agreed to—put.

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

Ayes, 27.		Noes, 35.	
Mr. Baker	Mr. Makin	Mr. Badman	Mr. McEwen
Mr. Barnard	Mr. Martens	Mr. Cameron	Mr. Nairn
Mr. Blackburn	Mr. Mulcahy	Mr. Casey	Mr. Paterson
Mr. Brennan	Mr. Pollard	Mr. Collins	Mr. Perkins
Mr. Clark	Mr. Riordan	Mr. Corser	Mr. Price
Mr. Curtin	Mr. Rosevear	Mr. Fairbairn	Mr. Rankin
Mr. Drakeford	Mr. Scullin	Mr. Francis	Mr. Scholfield
Mr. Forde	Mr. Sheehan	Sir Henry Gullett	Mr. Spender
Mr. Frost	Mr. Ward	Mr. Harrison	Mr. Stacey
Mr. Green	Mr. Watkins	Mr. Hawker	Sir Frederick Stewart
Mr. Gregory		Mr. Hughes	Mr. Street
Mr. Holloway		Mr. Hutchinson	Mr. Thompson
Mr. James	<i>Tellers:</i>	Mr. Jennings	Mr. Thorby
Mr. Lazzarini	Mr. Gander	Mr. Jolly	Mr. Wilson
Mr. Mahoney	Mr. George Lawson	Mr. Lane	
		Mr. John Lawson	<i>Tellers:</i>
		Mr. Lyons	Mr. Fadden
		Sir Charles Marr	Mr. Gardner
		Mr. McCall	

And so it was negatived.

Debate continued.

Mr. Drakeford moved, as an amendment, clause 95, page 23, at the end of the clause add the following sub-clause:—

"(2.) The amount of the benefit received under this Act by any husband or wife shall not be taken into account in computing under paragraph (b) of section twenty-six of the *Invalid and Old-age Pensions Act 1908-1937* the income of the other spouse."

Debate continued.

Amendment withdrawn, by leave.

Debate continued.

Mr. Casey (Treasurer) moved, as an amendment, clause 96, page 25, at the end of the clause, add the following sub-clauses:—

"(11.) The application of this section shall extend to any person who was engaged in active service during the war which commenced on the fourth day of August One thousand nine hundred and fourteen, as a member of the Naval, Military or Air Forces of any part of the King's Dominions, other than the Commonwealth, who is bona fide resident in the Commonwealth and who is in receipt of benefit under the law of that part of those Dominions in respect of that service.

(12.) For the purposes of the last preceding sub-section any reference in this section to the *Australian Soldiers' Repatriation Act 1920-1937* shall be read as a reference to the law under which the person is entitled to benefit."

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Debate continued.

Limitation of Debate.—At fifteen minutes to one o'clock p.m., the Chairman (Mr. Prowse) 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 103 had expired—

Question—That the amendment be agreed to—put and passed.

Further question—That clauses 88 to 95, clause 96, as amended, and clauses 97 to 103, and the circulated amendments of the Government, be agreed to—put.

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

Ayes, 37.		Noes, 28.	
Mr. Badman	Sir Charles Marr	Mr. Baker	Mr. Maloney
Mr. Cameron	Mr. McCall	Mr. Blackburn	Mr. Martens
Mr. Casey	Mr. McEwen	Mr. Brennan	Mr. Mulcahy
Mr. Collins	Mr. Nairn	Mr. Clark	Mr. Pollard
Mr. Corser	Mr. Paterson	Mr. Curtin	Mr. Riordan
Mr. Fadden	Mr. Perkins	Mr. Drakeford	Mr. Rosevear
Mr. Fairbairn	Mr. Price	Mr. Forde	Mr. Scullin
Mr. Francis	Mr. Rankin	Mr. Frost	Mr. Sheehan
Sir Henry Gullett	Mr. Scholfield	Mr. Green	Mr. Ward
Mr. Harrison	Mr. Spender	Mr. Gregory	Mr. Watkins
Mr. Hawker	Mr. Stacey	Mr. Holloway	Mr. Wilson
Mr. Holt	Sir Frederick Stewart	Mr. James	
Mr. Hughes	Mr. Street	Mr. Lazzarini	<i>Tellers:</i>
Mr. Hunter	Mr. Thompson	Mr. Mahoney	Mr. Gander
Mr. Hutchinson	Mr. Thorby	Mr. Makin	Mr. George Lawson
Mr. Jennings			
Mr. Jolly	<i>Tellers:</i>		
Mr. Lane	Mr. Gardner		
Mr. John Lawson	Mr. Nock		
Mr. Lyons			

And so it was resolved in the affirmative.

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

Clause 96, page 24, lines 6–7, omit “either on his own account, or on account of himself and his dependants, may, if those benefits”, insert “may, if those benefits, together with any benefits under that Act received by his dependants.”

Clause 96, page 24, line 43, omit “insured person”, insert “returned soldier”.

Clause 96, page 25, line 1, omit “an insured person”, insert “a returned soldier”.

Clause 97, page 25, line 12, omit “or has been invalidated”.

Clause 97, page 25, lines 30–35, omit sub-clause (5.), insert the following sub-clause:—

“(5.) For the purposes of this section—

(a) a person shall be deemed to have retired from the permanent Naval, Military or Air Forces of the Commonwealth when his services have been terminated, whatever may be the manner in which and the reason for which the termination is effected; and

(b) a person who retires from the permanent Naval, Military or Air Forces of the Commonwealth with a lump sum payment shall be deemed to have been retired with a weekly pension calculated by the Commonwealth Actuary as being the equivalent of that lump sum payment.”

Mr. Casey moved, That the Chairman do report progress and ask leave to sit again.

Question—put.

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

Ayes, 34.		Noes, 27.	
Mr. Badman	Mr. Lyons	Mr. Baker	Mr. Martens
Mr. Cameron	Sir Charles Marr	Mr. Blackburn	Mr. Mulcahy
Mr. Casey	Mr. McEwen	Mr. Brennan	Mr. Pollard
Mr. Collins	Mr. Nairn	Mr. Clark	Mr. Riordan
Mr. Corser	Mr. Paterson	Mr. Curtin	Mr. Rosevear
Mr. Fadden	Mr. Perkins	Mr. Drakeford	Mr. Scullin
Mr. Francis	Mr. Price	Mr. Forde	Mr. Sheehan
Mr. Gregory	Mr. Rankin	Mr. Frost	Mr. Ward
Sir Henry Gullett	Mr. Scholfield	Mr. Green	Mr. Watkins
Mr. Harrison	Mr. Stacey	Mr. Holloway	Mr. Wilson
Mr. Holt	Sir Frederick Stewart	Mr. James	
Mr. Hughes	Mr. Street	Mr. Lazzarini	<i>Tellers:</i>
Mr. Hunter	Mr. Thompson	Mr. Mahoney	Mr. Gander
Mr. Hutchinson	Mr. Thorby	Mr. Makin	Mr. George Lawson
Mr. Jennings	<i>Tellers:</i>	Mr. Maloney	
Mr. Jolly	Mr. Gardner		
Mr. Lane	Mr. Nock		
Mr. John Lawson			

And so it was resolved in the affirmative.

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The House resumed ; Mr. Prowse reported accordingly.

Resolved--That the House will, at a later hour this day, again resolve itself into the said Committee.

3. PERSONAL EXPLANATION.—Mr. Cameron (Acting Minister for Commerce) made a personal explanation in regard to a remark made by him in the House yesterday.
Mr. Wilson also made a personal explanation in connexion with the matter.
4. NATIONAL HEALTH AND PENSIONS INSURANCE BILL 1938.—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 again resolved itself into a Committee of the Whole.

(In the Committee.)

Clause 104 debated and agreed to.

Clause 105 debated and agreed to.

Clauses 106 and 107 agreed to.

Clause 108 debated and agreed to.

Clauses 109 to 114 agreed to.

Clause 115 debated—

On the motion of Mr. Casey (Treasurer), the following amendment was made, after debate :—

Pages 29–30, omit sub-clause (1.), insert the following sub-clause :—

“(1.) There shall be kept in the Health Insurance Fund an account to be called the Medical Benefit Account to which shall be credited from time to time, out of the moneys standing to the credit of the Health Insurance Fund, such amounts as are, in the opinion of the Commission, necessary to meet the cost of medical benefit under this Act.”.

Clause, as amended, agreed to.

Clauses 116 to 136, by leave, taken together, and, with the printed amendments as moved by Mr. Casey incorporated, agreed to, after debate.

The amendments are as follows :—

Clause 116, page 30, after sub-clause (1.) insert the following sub-clause :—

“(1A.) Payments to an approved society of amounts standing to the credit of the society in the Health Insurance Fund may be made to the society at such times and subject to such conditions as are prescribed.”.

Clause 129, page 33, line 13, omit “ or ”.

Clause 129, page 33, after paragraph (a) of sub-clause (2.) insert the following paragraph :—

“(aa) by the conversion of any securities purchased by the Board under the last preceding paragraph into new securities issued by any such Government or authority ; or ”.

Clause 132, page 34, line 6, omit “ or ”.

Clause 132, page 34, after paragraph (a) of sub-clause (2.) insert the following paragraph :—

“(aa) by the conversion of any securities purchased by the Board under the last preceding paragraph into new securities issued by any such Government or authority ; or ”.

Clause 137—

Mr. James moved, as an amendment, That paragraphs (a) and (b) of sub-clause (1.) be omitted with a view to the insertion of the following paragraphs in place thereof :—

“(a) any friendly society registered under the law of any State or Territory ;

(b) any society (not being an insurance society) existing at the commencement of this Part which, though not so registered, is deemed by the Commission to be qualified for its approval by reason of its experience in the management and distribution, among its members, of benefits of any of the classes provided by this Act ; and

(c) any trade union.”.

Debate ensued.

Member named.—The Chairman (Mr. Prowse) named the honorable Member for Denison (Mr. Mahoney) for disregarding the authority of the Chair.

Mr. Mahoney having expressed his regret, the matter was not further proceeded with.

Debate continued.

Amendment amended by Mr. James, by leave, to read as follows :—

Pages 34–35, omit paragraphs (a) and (b) of sub-clause (1.), insert the following paragraphs :—

“(a) a separate section of any friendly society registered under the law of any State or Territory or of any trade union, and

(b) any other society (not being a body carrying on life insurance business) which is deemed by the Commission to be qualified to be an approved society.”.

Debate continued.

Limitation of Debate.—At fifteen minutes past six 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 164 had expired—

Question—That the amendment be agreed to—put.

16th June, 1938.

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

Ayes, 37.		Noes, 25.	
Mr. Anthony	Mr. Mahoney	Mr. Cameron	Mr. McEwen
Mr. Badman	Mr. Makin	Mr. Casey	Mr. Paterson
Mr. Baker	Mr. Martens	Mr. Corser	Mr. Perkins
Mr. Barnard	Mr. McCall	Mr. Fairbairn	Mr. Rankin
Mr. Blackburn	Mr. Mulcahy	Mr. Harrison	Mr. Scholfield
Mr. Brennan	Mr. Nairn	Mr. Hawker	Sir Frederick Stewart
Mr. Clark	Mr. Pollard	Mr. Holt	Mr. Street
Mr. Curtin	Mr. Price	Mr. Hughes	Mr. Thompson
Mr. Drakeford	Mr. Riordan	Mr. Hunter	Mr. Thorby
Mr. Fadden	Mr. Rosevear	Mr. Hutchinson	
Mr. Forde	Mr. Scullin	Mr. Jolly	
Mr. Francis	Mr. Sheehan	Mr. John Lawson	<i>Tellers:</i>
Mr. Frost	Mr. Ward	Mr. Lyons	Mr. Gardner
Mr. Green	Mr. Watkins	Sir Charles Marr	Mr. Nock
Mr. Gregory	Mr. Wilson		
Sir Henry Gullett			
Mr. Holloway	<i>Tellers:</i>		
Mr. Jennings			
Mr. Lane	Mr. Gander		
Mr. Lazzarini	Mr. George Lawson		

And so it was resolved in the affirmative.

Further question—That clause 137, as amended, and clauses 138 to 164, and the circulated amendments of the Government, be agreed to—put and passed.

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

Clause 147, page 38, line 13, after "benefit" (second occurring) insert "(including dependent child's allowance)".

Clause 149, page 38, lines 33–34, omit "insured persons who, within the prescribed times, are not", insert "persons who are entitled to be members of approved societies and who, within the prescribed time, have not become".

Clause 152, page 39, lines 22–24, omit sub-clause (4.) insert the following sub-clause:—
"(4.) The application of this section shall extend to juvenile contributors but nothing in this section shall apply to partially exempt employees or to special voluntary contributors."

Clause 157, page 40, line 24, omit "State Act", insert "of any State Act or Ordinance".

Clause 165 agreed to.

Clause 166—

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

Page 44, line 14, after "exempt" insert "or partially exempt".

Debate ensued.

Clause, as amended, agreed to.

Clauses 167 to 176 agreed to.

Clause 177 debated and agreed to.

Clauses 178 to 184 agreed to.

Clause 185—

Mr. Casey moved, That the clause be omitted, and the following clause be inserted in place thereof:—

"185. Any authority having power under any law of the Commonwealth, of a State or of a Territory to fix rates of salary, wages, pay or allowances which, in fixing the rates of salary, wages, pay or allowances of any persons who are or may become contributors under this Act, takes into account the payment of contributions by those persons under this Act, shall also take into account the provision of benefits for those persons by this Act."

Rates of wages
not to be
affected by
contributions
and benefits.

Debate ensued.

Limitation of Debate.—At ten 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 Part VIII. had expired—

Question—That the clause stand as printed—put and negatived.

Further question—That the clause proposed to be inserted be so inserted—put.

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

Ayes, 32.		Noes, 30.	
Mr. Badman	Mr. McCall	Mr. Baker	Mr. Mahoney
Mr. Cameron	Mr. McEwen	Mr. Barnard	Mr. Makin
Mr. Casey	Mr. Nairn	Mr. Blackburn	Mr. Martens
Mr. Collins	Mr. Paterson	Mr. Brennan	Mr. Mulcahy
Mr. Corser	Mr. Perkins	Mr. Clark	Mr. Pollard
Mr. Fadden	Mr. Price	Mr. Curtin	Mr. Riordan
Mr. Fairbairn	Mr. Rankin	Mr. Drakeford	Mr. Rosevear
Mr. Francis	Mr. Scholfield	Mr. Forde	Mr. Sheehan
Mr. Gregory	Mr. Spender	Mr. Frost	Sir Frederick Stewart
Mr. Hawker	Mr. Stacey	Mr. Green	Mr. Ward
Mr. Hunter	Mr. Street	Sir Henry Gullett	Mr. Watkins
Mr. Hutchinson	Mr. Thompson	Mr. Harrison	Mr. Wilson
Mr. Jennings	Mr. Thorby	Mr. Holloway	
Mr. Jolly		Mr. James	<i>Tellers:</i>
Mr. John Lawson	<i>Tellers:</i>	Mr. Lane	Mr. Gander
Mr. Lyons	Mr. Gardner	Mr. Lazzarini	Mr. George Lawson
Sir Charles Marr	Mr. Nock		

And so it was resolved in the affirmative.

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Further question—That clauses 186 to 188 be agreed to—put and passed.

Postponed clause 4 debated—

On the motion of Mr. Casey, the following amendments were made :—

Page 2, line 30, after “ by ” insert “ or on behalf of ”.

Page 2, line 31, after “ contributors ” insert “ and other contributions made voluntarily ”.

Page 2, line 35, after “ engaged ” insert “, at or after the commencement of this Act,”.

Page 3, after the definition of “ medical practitioner ” insert the following definition :—

“ ‘ Ordinance ’ means an Ordinance of a Territory and includes a State Act in force in a Territory ; ”.

Page 3, line 26, omit “ any ”, insert “ the ”.

Page 3, line 26, after “ Commonwealth ” insert “ in which he supplies drugs, medicines or appliances in pursuance of a contract made under this Act ; ”.

Debate continued.

On the motion of Mr. Blackburn, by leave, the following further amendment was made :—

Page 2, line 2, omit “ means ”, insert “ includes ”.

Clause, as amended, agreed to.

Postponed clause 19 debated—

On the motion of Mr. Casey the following amendment was made, after debate :—

Page 6, lines 32–33, omit “ only, and this Act shall not, except where otherwise expressly stated, apply to a juvenile contributor,” insert “ and sickness benefit only ”.

Clause, as amended, agreed to.

Postponed clause 26—

Mr. Gregory proposing to move, as an amendment, That the following words be added to the clause :—

“ and refunds of contributions may be made in accordance with conditions declared by the Parliament ”—

Chairman's Ruling.—The Chairman ruled that the amendment was not in order.

Mr. Gregory moved, That the clause be further postponed.

Debate ensued.

Limitation of Debate.—At midnight, 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 the postponed clauses had expired—

The Committee continuing to sit until after midnight—

FRIDAY, 17TH JUNE, 1938.

Question—That the clause be further postponed—put.

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

Ayes, 28.

Mr. Baker	Mr. Mahoney
Mr. Barnard	Mr. Makin
Mr. Blackburn	Mr. Martens
Mr. Brennan	Mr. Mulcahy
Mr. Clark	Mr. Pollard
Mr. Corser	Mr. Riordan
Mr. Curtin	Mr. Rosevear
Mr. Drakeford	Mr. Sheehan
Mr. Fadden	Mr. Ward
Mr. Forde	Mr. Watkins
Mr. Frost	Mr. Wilson
Mr. Green	
Mr. Gregory	<i>Tellers:</i>
Mr. Holloway	Mr. Gander
Mr. Lazzarini	Mr. George Lawson

Noes, 32.

Mr. Badman	Mr. McEwen
Mr. Cameron	Mr. Nairn
Mr. Casey	Mr. Paterson
Mr. Collins	Mr. Perkins
Mr. Fairbairn	Mr. Price
Mr. Francis	Mr. Rankin
Mr. Harrison	Mr. Scholfield
Mr. Hawker	Mr. Spender
Mr. Hunter	Mr. Stacey
Mr. Hutchinson	Sir Frederick Stewart
Mr. Jennings	Mr. Street
Mr. Jolly	Mr. Thompson
Mr. Lane	Mr. Thorby
Mr. John Lawson	
Mr. Lyons	<i>Tellers:</i>
Sir Charles Marr	Mr. Gardner
Mr. McCall	Mr. Nock

And so it was negatived.

Further question—That postponed clauses 26, 49, and 63 and the circulated amendment of the Government be agreed to, and that postponed clauses 29 and 48 be omitted as proposed in the circulated amendments of the Government—put and passed.

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

Clause 29, page 9, omit the clause.

Clause 48, page 12, omit the clause.

Clause 63, page 17, omit sub-clause (2.).

Progress to be reported, and leave asked to sit again.

The House resumed ; Mr. Prowse reported accordingly.

Resolved—That the House will, at the next sitting, again resolve itself into the said Committee.

16th and 17th June 1938.

5. PAPER.—The following Paper was presented, pursuant to Statute—
Arbitration (Public Service) Act—Determination by the Arbitrator, &c.—No. 16 of 1938—
Australian Federated Union of Locomotive Enginemen; Australian Workers' Union;
Boilermakers' Society of Australia; and Electrical Trades Union of Australia.
6. ADJOURNMENT.—Mr. Lyons (Prime Minister) moved, That the House do now adjourn.
Question—put and passed.

And then the House, at eleven minutes past twelve o'clock midnight, adjourned until this day at half-past ten o'clock a.m.

MEMBERS PRESENT.—All Members were present (at some time during the sitting) except—Mr. Beasley, Mr. Menzies*, Sir Earle Page*, Mr. Scully, and Mr. White*.

* On leave.

F. C. GREEN,
Clerk of the House of Representatives.