

1937-38.

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA,  
CANBERRA.

VOTES AND PROCEEDINGS

OF THE

HOUSE OF REPRESENTATIVES.

No. 31.

FRIDAY, 17TH 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.)

*New clauses—*

On the motion of Mr. Casey (Treasurer), the following new clause was inserted in the Bill, after debate:—

“39A.—(1.) Any insured woman may, at any time not later than—

(a) the expiration of one year from the date on which she first became employed; or

(b) her attainment of the age of twenty-one years,

whichever last happens, elect to pay, from the prescribed date, an additional contribution of sixpence a week.

(2.) The right of a person to continue to pay additional contributions under this section shall be subject to the provisions of section forty of this Act as if the person were, in respect of those contributions, a voluntary contributor.

(3.) Contributions paid in accordance with sub-section (1.) of this section shall not be taken into account—

(a) for the purpose of determining the right of the contributor to benefit under this Act other than benefit under section seventy-five A of this Act; or

(b) for the purposes of sections one hundred and seventeen to one hundred and nineteen (inclusive) of this Act.”

Additional contributions by insured women.

On the motion of Mr. Casey, the following further new clause was inserted in the Bill, after debate:—

“64A. A person who has been insured as a juvenile contributor, and who, either has not attained the age of sixteen years, or has not been employed since attaining the age of sixteen years, shall be eligible for sickness benefit for so long only as he remains entitled to medical benefit by virtue of section forty-nine of this Act, but, during the period during which he is so entitled, notwithstanding anything contained in section sixty-two of this Act, his right to receive sickness benefit, during any period of incapacity for work arising from sickness, shall continue until the termination of the twenty-sixth week from the date upon which he became entitled to receive that benefit, or until he attains the age of sixteen years, whichever last happens.”

Period of sickness benefit for juvenile contributors.

On the motion of Mr. Casey, the following further new clause was inserted in the Bill:—

“75A. A woman who is entitled to pay additional contributions under section thirty-nine A of this Act, and who is entitled to an old-age pension under this Act, shall, subject to this Act, receive an addition to that pension of Five shillings per week.”

Pensions to women who have paid additional contributions.

Mr. Martens moved, That the following further new clause be inserted in the Bill:—

“75B. On complying with the conditions of the *Invalid and Old-age Pensions Act 1908-1937* other than those relating to means the wife or widow of the recipient of an old-age pension under this Act shall be qualified to receive an old-age pension under the *Invalid and Old-age Pensions Act 1908-1937*.”

Debate ensued.

Proposed new clause negatived.

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- On the motion of Mr. Casey, the following further new clause was inserted in the Bill, after debate :—
- “ 92A. Any reference, in the provisions of this Part relating to orphan's pension or to dependent child's allowance, to the age of fifteen years shall, in respect of a child who, on attaining the age of fifteen years, is permanently incapacitated, be read as a reference to the age of sixteen years, and those provisions shall apply to that child accordingly.”
- Children  
incapacitated  
at age 15.
- On the motion of Mr. Casey, the following further new clause was inserted in the Bill :—
- “ 95A. Notwithstanding anything contained in this Act, a pension payable to a blind person under the *Invalid and Old-age Pensions Act 1908-1937* shall not be reduced by reason of the receipt by that person of benefit under this Act.”
- Pensions to  
blind not to be  
reduced.
- On the motion of Mr. Casey, the following further new clause was inserted in the Bill :—
- “ 96A. Any benefit payable to a person under this Act shall not be taken into account in the calculation of the income of that person, or of the spouse of that person, for the purposes of either the *Invalid and Old-age Pensions Act 1908-1937* or the *Australian Soldiers' Repatriation Act 1920-1937*.”
- Benefit under  
this Act not  
to affect  
income under  
other Acts.
- On the motion of Mr. Casey, the following further new clause was inserted in the Bill, after debate :—
- “ 178A.—(1.) Where the Commission is satisfied that an employer has deducted from the wages of an employee an amount of contributions payable by the employee under this Act, and has failed to pay those contributions as required by or under this Act, the Commission shall certify in writing the amount of the contributions which the employer has so failed to pay, and thereupon the employee shall not be subject to any disqualification for, or reduction of, benefit under this Act by reason only of the failure of the employer to pay that amount of contributions.
- (2.) Where the Commission has certified under this section the amount of any contribution which an employer has failed to pay, and that amount or any part thereof is subsequently recovered, the amount recovered shall be credited to such fund as the Commission determines.”
- Failure of  
employer  
to pay  
contributions.
- Mr. Blackburn moved, That the following further new clause be inserted in the Bill :—
- “ 183A.—(1.) This Act shall not apply to any person employed by a public authority if and so long as such person is a member of a Society of persons so employed in respect of which Society upon its application for exemption the Commission certifies that the benefits provided by the Society together with benefits by way of superannuation or retiring allowance provided either by the public authority only or out of a contributory fund are on the whole not less favorable than the benefits conferred by this Act.
- (2.) If the Commission refuses to certify under this section the Commission shall state its reasons and the Society shall be at liberty to renew its application for exemption.
- (3.) If the Commission is satisfied that, by reason of a change of the rules of the society or of the terms of employment of its members, the grounds upon which the certificate was given no longer exist, it shall cancel the certificate and this Act shall thereupon apply to persons employed by the public authority notwithstanding that they are members of the Society.
- (4.) In this section ‘public authority’ means an authority under the authority of the Commonwealth or a State constituted by or under any Act or State Act.”
- Debate ensued.
- Proposed new clause withdrawn, by leave.
- Mr. Clark moved, That the following further new clause be inserted in the Bill :—
- “ 183A. Notwithstanding anything in this Act contained the employer's contributions in respect of any person employed by a hospital or other charitable institution shall be provided by the Commonwealth.”
- Temporary Chairman's Ruling.*—The Temporary Chairman (Mr. Nairn) ruled that the proposed clause would increase the appropriation, and, therefore, was not in order.
- The Schedules—  
The First Schedule—  
Ordered—That the Schedule be considered by Parts.  
Part I. debated—  
Mr. Lazzarini moved, as an amendment, That the words “except in so far as such employment is excluded by a special order by the Commission” be omitted from paragraph (c).  
Debate continued.  
Amendment withdrawn, by leave.
- On the motion of Mr. Casey, the following amendment was made, after debate :—  
Page 53, paragraph (c), omit “a special order by the Commission”, insert “the Regulations”.
- Part I., as amended, agreed to.  
Part II.—  
On the motion of Mr. Casey, the following amendment was made :—  
Page 54, paragraph (b), omit “certifies”, insert “has certified, by a certificate which remains in force,”.
- Mr. Makin moved, as a further amendment, That after paragraph (b) the following new paragraph be inserted :—  
“(ba) Employment by a hospital in respect of which the Commission certifies that the terms of employment provide health insurance benefits on the whole not less favorable than the health insurance benefits provided by this Act.”
- Debate ensued.
- Limitation of Debate.*—At four 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 to the end of the First Schedule had expired—  
Question—That the paragraph proposed to be inserted be so inserted—put.

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

| Ayes, 27.     |                   | Noes, 24.       |                       |
|---------------|-------------------|-----------------|-----------------------|
| Mr. Anthony   | Mr. Mahoney       | Mr. Badman      | Mr. McEwen            |
| Mr. Baker     | Mr. Makin         | Mr. Cameron     | Mr. Nairn             |
| Mr. Barnard   | Mr. Martens       | Mr. Casey       | Mr. Paterson          |
| Mr. Blackburn | Mr. Mulcahy       | Mr. Collins     | Mr. Rankin            |
| Mr. Brennan   | Mr. Pollard       | Mr. Corser      | Mr. Scholfeld         |
| Mr. Clark     | Mr. Riordan       | Mr. Francis     | Mr. Stacey            |
| Mr. Drakeford | Mr. Scullin       | Mr. Harrison    | Sir Frederick Stewart |
| Mr. Fadden    | Mr. Sheehan       | Mr. Hawker      | Mr. Thompson          |
| Mr. Forde     | Mr. Ward          | Mr. Hughes      | Mr. Thorby            |
| Mr. Frost     | Mr. Wilson        | Mr. Hutchinson  |                       |
| Mr. Green     |                   | Mr. Jennings    | <i>Tellers:</i>       |
| Mr. Gregory   |                   | Mr. Jolly       | Mr. Gardner           |
| Mr. Holloway  | <i>Tellers:</i>   | Mr. John Lawson | Mr. Nock              |
| Mr. Lane      | Mr. Gander        |                 |                       |
| Mr. Lazzarini | Mr. George Lawson |                 |                       |

And so it was resolved in the affirmative.

Further question—That Part II., as amended 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:—

Page 54, paragraph (b), omit "company", insert "corporation".

Page 55, paragraph (i), omit "that remains unrevoked", insert "which remains in force".

Page 55, at the end of Part II., add the following paragraph—

"(k) employment of aboriginal natives of the islands of the Pacific under such conditions and in such localities as are determined by the Commission, and employment of aboriginal natives of Australia under such conditions and in such localities as are so determined, after report from the authority of the State or Territory in which the natives are employed, which is responsible for the protection of those natives."

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.

3. ALTERATION OF DAY OF NEXT MEETING.—Mr. Thorby (Minister for Defence) moved, That the House, at its rising, adjourn until Monday next at three o'clock p.m.  
Question—put and passed.

4. ADJOURNMENT.—Mr. Thorby (Minister for Defence) moved, That the House do now adjourn.  
Debate ensued.  
Question—put and passed.

And then the House, at ten minutes to five o'clock p.m., adjourned until Monday next at three o'clock p.m.

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

\* On leave.

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