

1940-41-42-43.

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA,
CANBERRA.

VOTES AND PROCEEDINGS
OF THE
HOUSE OF REPRESENTATIVES.

No. 133.

THURSDAY, 18TH MARCH, 1943.

1. The House met, at half-past two o'clock p.m., pursuant to adjournment.—Mr. Speaker (the Honorable W. M. Nairn) took the Chair, and read Prayers.
2. MESSAGE FROM THE SENATE.—NATIONAL WELFARE FUND BILL 1943.—Mr. Speaker announced the receipt of the following Message from the Senate :—

MR. SPEAKER, Message No. 173.

The Senate returns to the House of Representatives the Bill for " *An Act to establish a National Welfare Fund* ", and acquaints the House that the Senate has agreed to the Bill without amendment.

JAS. CUNNINGHAM,
President.

The Senate,
Canberra, 18th March, 1943.
3. PAPERS.—The following Papers were presented, pursuant to Statute—

Customs Act—Proclamation (dated 10th March, 1943) prohibiting the Exportation (except under certain conditions) of Bitumen, &c.
National Security Act—National Security (Man Power) Regulations—Orders—Protected undertakings (52).
4. AUSTRALIAN SOLDIERS' REPATRIATION BILL 1943.—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 2—

Debate resumed on the motion moved by Mr. Spender, viz. :—That the clause be postponed.

Question—That the clause be postponed—put.

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

Ayes, 8.

Mr. Blackburn
Mr. Harrison
Sir Charles Marr
Mr. Perkins
Mr. Spender
Sir Frederick Stewart

Tellers:

Mr. Collins
Mr. McCall

Noes, 54.

Mr. Abbott	Mr. Johnson
Mr. Anthony	Mr. Jolly
Mr. Baker	Mr. Langtry
Mr. Barnard	Mr. Lawson
Mr. Beasley	Mr. Lazzarini
Mr. Beck	Mr. Makin
Sir George Bell	Mr. Martens
Mr. Breen	Mr. McDonald
Mr. Brennan	Mr. McLeod
Mr. Calwell	Mr. Menzies
Mr. Cameron	Mr. Morgan
Mr. Chifley	Mr. Mulcahy
Mr. Clark	Mr. Nairn
Mr. Coles	Sir Earle Page
Mr. Curtin	Mr. Paterson
Mr. Dedman	Mr. Pollard
Mr. Drakeford	Mr. Price
Mr. Duncan-Hughes	Mr. Riordan
Mr. Evatt	Mr. Rosevear
Mr. Fadden	Mr. Ryan
Mr. Forde	Mr. Sheehan
Mr. Francis	Mr. Spooner
Mr. Frost	Mr. Stacey
Mr. Holloway	Mr. Ward
Mr. Holt	
Mr. Hughes	Tellers:
Mr. Hutchinson	Mr. Conelan
Mr. James	Mr. Marwick

And so it was negatived.

F.6316.

18th March, 1943.

Clause agreed to.

Clause 3—

Sir Charles Marr moved, That the clause be postponed.

Debate ensued.

Question—put.

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

Ayes, 11.

Mr. Abbott
Mr. Blackburn
Mr. Harrison
Sir Charles Marr
Sir Earle Page
Mr. Perkins
Mr. Rankin
Mr. Ryan
Sir Frederick Stewart

Tellers:

Mr. Collins
Mr. Spender

Noes, 47.

Mr. Anthony	Mr. Johnson
Mr. Baker	Mr. Jolly
Mr. Barnard	Mr. Langtry
Mr. Beasley	Mr. Lawson
Mr. Beck	Mr. Lazzarini
Sir George Bell	Mr. Makin
Mr. Breen	Mr. Martens
Mr. Brennan	Mr. McDonald
Mr. Calwell	Mr. McLeod
Mr. Cameron	Mr. Menzies
Mr. Clark	Mr. Morgan
Mr. Coles	Mr. Mulcahy
Mr. Curtin	Mr. Pollard
Mr. Dedman	Mr. Price
Mr. Drakeford	Mr. Riordan
Mr. Duncan-Hughes	Mr. Rosevear
Mr. Evatt	Mr. Sheehan
Mr. Fadden	Mr. Spooner
Mr. Forde	Mr. Stacey
Mr. Francis	Mr. Ward
Mr. Frost	
Mr. Holloway	
Mr. Holt	
Mr. Hughes	Mr. Conelan
Mr. Hutchinson	Mr. Marwick

Tellers:

Mr. Conelan
Mr. Marwick

And so it was negatived.

Clause agreed to.

Clause 4—

Mr. Coles moved, as an amendment, That all words after "Principal Act" (page 2, lines 3-9) be omitted and the following inserted in place thereof:—

"is amended—

(a) by omitting the words 'Division 6—Extension of Application of Provisions of Divisions 1 to 4.' and inserting in their stead the words—

'Division 6—Extension of Application of Provisions of Divisions 1 to 5 to certain Male Members of the Forces.

Division 7—Extension of Application of Provisions of Divisions 1 to 5 to Members of Women's Services.'; and

(b) by inserting, after the words 'Part IV.—Assistance and Benefits.', the words 'Part IVA.—Parliamentary Standing Committee on Repatriation.'"

Debate ensued.

Further consideration of clause and amendment postponed until after proposed new clauses.

Clauses 5 to 13 agreed to.

Clause 14—

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

Page 4, line 16, omit all words after "Principal Act", insert the following:—

"is amended—

(a) by omitting paragraph (a) of sub-section (2.) and inserting in its stead the following paragraph:—

'(a) the incapacity from which the member is suffering or from which he has died has been contributed to in any material degree, or has been aggravated, by the conditions of his war service; and'; and

(b) by omitting from sub-section (3.) the word 'Act' (second occurring) and inserting in its stead the word 'Division'".

Clause, as amended, agreed to.

Clause 15—

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

Page 4, lines 19-25, omit all words after "Principal Act", insert the following:—

"is amended—

(a) by omitting from paragraph (a) of sub-section (1.) the words 'the death or incapacity of a member of the Forces' and inserting in their stead the words 'the incapacity from which a member of the Forces is suffering or from which he has died—';

(b) by omitting from sub-paragraph (ii) of that paragraph the word 'or' (last occurring); and

(c) by omitting sub-paragraph (iii) of that paragraph and inserting in its stead the following sub-paragraphs:—

'(iii) arose out of or is attributable to his service as a member; or

'(iv) has been contributed to in any material degree, or has been aggravated, by the conditions of his war service,'"

18th and 19th March, 1943.

Clause, as amended, agreed to.

Clauses 16 and 17 agreed to.

Clause 18—

Mr. Hughes moved, as an amendment, That after "whatsoever" (page 5, line 6) the following be inserted:—" (including the question whether the incapacity from which the member of the Forces is suffering or from which he has died was contributed to in any material degree, or was aggravated, by the conditions of his war service) ".

Debate ensued.

The Committee continuing to sit until after midnight—

FRIDAY, 19TH MARCH, 1943.

Debate continued.

Amendment agreed to.

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

Page 5, line 9, omit "conclusive".

Mr. Hughes moved, as a further amendment, That the words "in all cases whatsoever the onus of proof shall" (page 5, line 15) be omitted with a view to inserting the following words in place thereof "the onus of proof of any matter referred to in paragraph (a) or (b) of last preceding sub-section shall, in all cases whatsoever,".

Amendment negatived.

Mr. Spender moved, as a further amendment, That the words "the onus of proof shall lie on the person or authority who contends that the claim, application or appeal should not be granted or allowed to the full extent claimed" (page 5, lines 15-18) be omitted with a view to inserting the following words in place thereof:—"the person or authority who contends that the claim, application or appeal should not be granted or allowed to the full extent claimed shall prove beyond reasonable doubt that the claim, application or appeal should not be fully or partly granted".

Question—That the amendment be agreed to—put.

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

Ayes, 14.

Mr. Abbott
Mr. Blackburn
Mr. Collins
Mr. Duncan-Hughes
Mr. Harrison
Sir Charles Marr
Mr. Perkins
Mr. Price
Mr. Rankin
Mr. Ryan
Mr. Spender
Sir Frederick Stewart

Tellers:

Mr. Beck
Mr. Marwick

Noes, 40.

Mr. Anthony	Mr. Hutchinson
Mr. Baker	Mr. Johnson
Mr. Barnard	Mr. Langtry
Mr. Beasley	Mr. Lawson
Mr. Breen	Mr. Lazzarini
Mr. Brennan	Mr. Makin
Mr. Calwell	Mr. McDonald
Mr. Cameron	Mr. McLeod
Mr. Clark	Mr. Menzies
Mr. Coles	Mr. Morgan
Mr. Curtin	Mr. Mulcahy
Mr. Dedman	Mr. Pollard
Mr. Drakeford	Mr. Riordan
Mr. Evatt	Mr. Rosevear
Mr. Fadden	Mr. Sheehan
Mr. Forde	Mr. Spooner
Mr. Francis	Mr. Ward
Mr. Frost	
Mr. Holloway	
Mr. Holt	
Mr. Hughes	

Tellers:

Mr. Conelan
Mr. Stacey

And so it was negatived.

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

Page 5, lines 26-27, omit "the death or incapacity of the member", insert "the incapacity from which the member is suffering or from which he has died".

Page 5, line 33, omit "arises", insert "arose".

Page 5, lines 34-35, omit sub-paragraph (v), insert the following sub-paragraph:—

"(v) has been contributed to in any material degree, or has been aggravated, by the conditions of his war service."

Clause, as amended, agreed to.

Clauses 19 and 20 agreed to.

Clause 21—

On the motion of Mr. Hughes, the following amendments were made, after debate:—

Page 6, line 17, omit "and".

Page 6, after line 17 insert the following paragraph:—

"(ba) by omitting paragraph (b) of that sub-section and inserting in its stead the following paragraph:—

'(b) that the incapacity from which the member is suffering or from which he has died has not been contributed to in any material degree, or has not been aggravated, by the conditions of his war service,'; and".

Clause, as amended, agreed to.

Clause 22 agreed to.

18th and 19th March, 1943.

Clause 23—

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

Page 6, line 35, omit " and ".

Page 6, after line 38 insert the following paragraph :—

" ; and (d) by omitting from paragraph (b) of that sub-section the words ' to which the conditions of his service have contributed to a material degree ' and inserting in their stead the words ' which has been contributed to in any material degree, or has been aggravated, by the conditions of his war service '."

Clause, as amended, agreed to.

Clauses 24 to 26 agreed to.

Clause 27 debated and agreed to.

Clauses 28 to 30 agreed to.

Clause 31—

On the motion of Mr. Frost (Minister for Repatriation), the following amendments were made :—

Page 9, line 26, omit " and ".

Page 9, after line 26 insert the following paragraph :—

" (ab) by omitting the word ' seven ' (first and second occurring) and inserting in its stead the word ' fifteen ' ; and ".

Clause, as amended, agreed to.

Clause 32—

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

Page 10, line 9, omit " and ".

Pages 10 and 11, omit the definition of " Member of the Forces ", insert the following definition :—

" ' Member of the Forces ' means any male person who, during the war, was—

(a) a member of the Permanent Naval, Military or Air Forces of the Commonwealth ; or

(b) a member of the Citizen Forces enlisted or appointed or called up for continuous service for the duration of, and directly in connexion with, the war ; ".

Clause, as amended, agreed to.

Clause 33—

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

Page 11, lines 36–46, omit paragraph (d), insert the following paragraph :—

" ; (d) in the case of a member who was enlisted in—

(i) the Permanent Naval Forces before the war, or during the war for a period other than the duration of the war ; or

(ii) the Permanent Military or Air Forces before the war or during the war but was, by reason only of such membership, deemed to be an officer or employee within the meaning of the *Superannuation Act 1922–1937* or of that Act as amended for the time being,

and who, after being employed on the service, not being active service, in respect of which the liability of the Commonwealth to pay pension arises, resumes or continues a period of service with those Forces which is continuous with the period of such first-mentioned service, the liability of the Commonwealth to pay pension to or in relation to the member shall not commence until the termination of the period of service so resumed or continued or any extension of that period ; and ".

Page 12, line 24, omit " embarked for ", insert " was employed on ".

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

Page 12, line 25, omit " and ".

Page 12, after line 25 insert the following paragraph :—

" (fa) by omitting paragraph (a) of sub-section (2.) and inserting in its stead the following paragraph :—

(a) the incapacity from which the member is suffering or from which he has died has been contributed to in any material degree, or has been aggravated, by the conditions of his war service ; and ' ; and ".

Clause, as amended, debated and agreed to.

Clause 34—

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

Page 12, line 47, omit " the Territories ", insert " any Territory ".

Clause, as amended, agreed to.

Clause 35—

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

Page 14, line 11, omit " or before ", insert " from the time of her enlistment to the date of her death or discharge from the Forces or ".

Page 14, line 17, omit " Women's Royal Australian Navy ", insert " Royal Australian Naval ".

Page 14, line 22, omit " , the Voluntary Aid Detachment, ".

Page 14, line 23, after " Force " insert " or was employed on full-time paid duty as a member of the Voluntary Aid Detachment. ".

Page 14, line 48, omit " a member ", insert " the member ".

Clause, as amended, debated and agreed to.

Clause 36—

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

Page 15, line 34, omit " Permanent ".

Page 15, line 36, after " Australia " insert " and the Territories of the Commonwealth ".

Page 15, lines 37–41, omit paragraph (b), insert the following paragraph :—

" (b) is or has been, during that war, a member of the Permanent Military Forces of the Commonwealth enlisted for service only within Australia or the Territories of the Commonwealth ; ".

18th and 19th March, 1943.

Page 15, line 44, omit "solely".

Page 15, line 47, omit "Navy", insert "Naval".

Page 16, line 5, omit "the Voluntary Aid Detachment".

Page 16, line 6, after "Force" insert "or was employed on full-time paid duty as a member of the Voluntary Aid Detachment".

Clause, as amended, agreed to.

Clause 37—

Mr. Francis moved, as an amendment, That after "repealed" (page 16, line 38) the following be inserted:—"and the following section inserted in its stead:—

'47. Where a member of the Forces is in receipt of a pension at the general rate ^{Free medical and hospital treatment.} for total incapacity under the First Schedule to this Act or at the special rate of pension under the Second Schedule to this Act, the Commonwealth shall, subject to the regulations, be liable to provide free medical treatment and, where so ordered by a medical practitioner, free hospital treatment for the member during such periods as it is necessary for him to undergo such treatment.'

Debate ensued.

Amendment withdrawn, by leave.

Mr. Francis moved, as an amendment, That after "repealed" (page 16, line 38) the following be inserted:—"and the following section inserted in its stead:—

'47A. Where a member of the Forces is suffering from tuberculosis and has, for a period of three years or more, been in receipt of a pension at a rate of not less than the maximum special rate of pension specified at any time during that period in the Second Schedule to this Act, the children of the member shall, during any period during which the member continues to receive a pension at that rate, be entitled to participate in any Soldiers' Children Education Scheme prepared under the regulations as if they were eligible children for the purposes of that Scheme.'

Debate continued.

Amendment withdrawn, by leave.

Debate continued.

Mr. Harrison moved, as an amendment, That after "repealed" (page 16, line 38) the following be inserted:—"and the following section inserted in its stead:—

'47B. The regulations shall make provision for the granting of preference in employment to members of the Forces.'

Debate continued.

Question—That the amendment be agreed to—put.

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

Ayes, 18.

Noes, 25.

Mr. Beck	Mr. Price
Mr. Cameron	Mr. Ryan
Mr. Duncan-Hughes	Mr. Spender
Mr. Fadden	Mr. Spooner
Mr. Francis	Sir Frederick Stewart
Mr. Harrison	
Mr. Holt	<i>Tellers:</i>
Mr. Hutchinson	
Sir Charles Marr	Mr. Marwick
Mr. McDonald	Mr. Stacey
Mr. Nairn	

Mr. Abbott	Mr. Lawson
Mr. Baker	Mr. Lazzarini
Mr. Barnard	Mr. Makin
Mr. Beasley	Mr. McLeod
Mr. Blackburn	Mr. Morgan
Mr. Breen	Mr. Pollard
Mr. Calwell	Mr. Rankin
Mr. Coles	Mr. Rosevear
Mr. Curtin	Mr. Ward
Mr. Dedman	
Mr. Frost	
Mr. Holloway	<i>Tellers:</i>
Mr. Johnson	Mr. Conelan
Mr. Langtry	Mr. Riordan

And so it was negatived.

Clause agreed to.

Clauses 38 and 39 agreed to.

Clause 40—

Mr. Spender moved, as an amendment, That after paragraph (g) the following paragraph be inserted:—

"(ga) by way of free medical treatment to members of the Forces for a period of twelve months after discharge from service; and".

Debate ensued.

Amendment negatived.

Clause agreed to.

Clause 41—

Mr. Spender moved, as an amendment, That the amount "£2 16s. 0d." be omitted from Column 3.

Debate ensued.

Amendment negatived.

On the motion of Mr. Frost, the following amendments were made, after debate:—

Page 18, omit from column 3 all the figures commencing with "2 16 0" and ending with "4 18 0", insert—

" } 5 0 0 "

Pages 18 and 19, omit the first paragraph of the footnote to the proposed First Schedule.

18th and 19th March, 1943.

Sir Frederick Stewart moved, as a further amendment, That the following paragraph be added to the proposed First Schedule :—

“ Notwithstanding anything contained in this Act, the rate of pension in the case of a widow and her children shall be, for the period commencing on the date of the commencement of the pension and ending on the date twelve months after the death of the member of the Forces, at a rate in the aggregate not less than the aggregate amount received by the widow in respect of herself and children by way of standard allotment and dependants' allowance immediately prior to the death of the member.”.

Debate continued.

Suspension of Sitting.—At half-past seven o'clock a.m., the Temporary Chairman (Mr. Rosevear) left the Chair.

Resumption of Sitting.—At half-past nine o'clock a.m., the Chairman resumed the Chair.

Debate continued.

Further consideration of clause, as amended, and amendment postponed until after proposed new clauses, by leave.

Clause 42 debated and agreed to.

Clause 43—

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

Page 19, Third Schedule, omit—

“ each child over ten years of age	30s. per fortnight
“ each child over fourteen years of age	36s. per fortnight

In any other case—

“ each child	25s. per fortnight ”,
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insert—

“ each child fourteen years of age or under	35s. per fortnight
“ each child over fourteen years of age	40s. per fortnight

In any other case—

First child	35s. per fortnight
Second and each subsequent child	25s. per fortnight ”.

Mr. Spender moved, as a further amendment :—

Page 20, Third Schedule, omit—

“ Each child of a member	18s. per fortnight ”,
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insert—

“ Each child of a member	30s. per fortnight ”.
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Amendment negatived.

Clause, as amended, agreed to.

Clauses 44 and 45 agreed to.

Clause 46—

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

Page 21, after “ Act ” (second occurring) insert “ (other than the provisions of the last preceding section) ”.

Clause, as amended, agreed to.

New clauses—

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

“ 13A. Section twenty-two of the Principal Act is amended by inserting in the Definitions. definition of ‘ Dependants ’ the following further proviso :—

‘ Provided further that any such wife married to a member of the Forces while the member—

(a) was in receipt of a pension under the Second Schedule to this Act or would, but for the third paragraph of that Schedule, have been in receipt of such a pension ; or

(b) was in receipt of an amount in respect of a disability described in any of the first eight items in the first column of the Fifth Schedule to this Act or would, but for sub-paragraph (i) of paragraph (c) of the proviso to that Schedule, have been in receipt of such an amount,

shall be deemed to be a dependant ; ’ ”.

Debate ensued.

Proposed new clause withdrawn, by leave.

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

“ 13A. Section twenty-two of the Principal Act is amended by adding to the Definitions. definition of ‘ Permanently unemployable ’ the words ‘ in which, in the opinion of the Commission, he can reasonably be expected to obtain regular employment ’ ”.

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

“ 14A. After section twenty-three of the Principal Act the following section is inserted :—

‘ 23A.—(1.) No deduction shall be made from the degree of actual disability of any member of the Forces who has served in a theatre of actual war on account of any disability or disabling condition which existed in him at the time at which he became a member of the Forces ; but no pension shall be paid for a disability or disabling condition which at such time was wilfully concealed, was obvious, was not of a nature to cause rejection from service, or was a congenital defect. Pre-enlistment disabilities.

18th and 19th March, 1943.

'(2.) An applicant shall not be denied a pension in respect of disability resulting from injury or disease or the aggravation thereof incurred during military service or in respect of the death of a member of the Forces resulting from such injury or disease or the aggravation thereof solely on the ground that no substantial disability or disabling condition is considered to have existed at the time of discharge of such member of the Forces.'

Proposed new clause withdrawn, by leave.

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

" 17A. Section thirty-one A of the Principal Act is amended by adding at the end thereof the following sub-section :—

Pension for pulmonary tuberculosis.

'(3.) Where a member of the Forces—

(a) served in a theatre of war ; and

(b) at any time after his discharge from the Forces, became or becomes incapacitated, or died or dies, from pulmonary tuberculosis,

and pension in respect of the incapacity or death would not, but for this sub-section, be payable, the Commonwealth shall, subject to this Act and upon receipt of an application in writing, be liable to pay to the member or his dependants, or both, as the case may be, from the date of the application, pension in accordance with Division 1 of this Part as if the incapacity or death resulted from an occurrence happening during the period he was a member of the Forces.'

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

" 17B. After section thirty-one A of the Principal Act the following section is inserted :—

' 31AB.—(1.) The Commission may, on special application in that behalf, grant a compassionate pension or allowance in any case which it considers to be specially meritorious, but in which the Commission, or, on an appeal, a Tribunal, has decided that the applicant is otherwise unqualified to receive such an award under this Act.

Compassionate pension or allowance in specially meritorious cases.

'(2.) The amount of any compassionate pension or allowance granted under this section shall be such sum as the Commission shall fix, but not exceeding the amount to which the applicant would have been entitled if his entire claim to payment had been upheld.'

Debate ensued.

Proposed new clause negatived.

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

" 17B. Section thirty-six of the Principal Act is amended—

(a) by inserting before the proviso the following sub-section :—

Pensions to certain female dependants of member.

'(2.) Any such pension may be allowed to any such person under this provision as well as to the widow of any member of the Forces.' ; and

(b) by omitting the proviso."

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

" 39A. After section fifty-six of the Principal Act, the following Part is inserted :—

' PART IVA.—PARLIAMENTARY STANDING COMMITTEE ON REPATRIATION.

' 56A.—(1.) As soon as conveniently practicable after the day on which this Act receives the Royal Assent, and thereafter at the commencement of the first session of every Parliament, a Joint Committee of six members of the Parliament, to be called the Parliamentary Standing Committee on Repatriation (in this Part referred to as "the Committee"), shall be appointed according to the practice of the Parliament with reference to the appointment of members to serve on Joint Select Committees of both Houses of the Parliament.

Constitution of Committee.

'(2.) Two of the members of the Committee shall be members of and appointed by the Senate, and four of the members of the Committee shall be members of and appointed by the House of Representatives.

'(3.) A Minister of State, the President of the Senate, the Speaker of the House of Representatives and the Chairman of Committees of either House of the Parliament shall be ineligible for appointment as a member of the Committee.

' 56B. The members of the Committee shall hold office as a Joint Committee for the duration of the Parliament for the time being, but shall cease to hold office as soon as the House of Representatives expires by dissolution or effluxion of time ; and shall have and may exercise such powers and authorities, perform such duties, and be liable to such obligations as are by this Act vested in or imposed upon the Committee.

Tenure of office of members of Committee.

' 56C. Every member of the Committee shall, before entering on the duties of his office or sitting at any meeting of the Committee, make and subscribe a declaration in accordance with the Form in the Sixth Schedule to this Act.

Declaration to be subscribed by members.

' 56D.—(1.) Any member of the Committee may resign his seat on the Committee by writing under his hand addressed to the President of the Senate if he be a Senator, or to the Speaker of the House of Representatives if he be a Member of the House of Representatives.

Resignation.

'(2.) The seat of any member of the Committee shall also be deemed to have become vacant if he ceases to be a Senator or a member of the House of Representatives (as the case may be).

18th and 19th March, 1943.

' 56E. Where a vacancy occurs in the Committee, it shall be filled by appointment Vacancies. according to the practice referred to in section fifty-six A of this Act within thirty days from the happening of the vacancy if the Parliament is then sitting, and, if not, then within thirty days after the next meeting of the Parliament.

' 56F. At any meeting of the Committee, four members shall form a quorum. Quorum.

' 56G.—(1.) There shall be a Chairman and a Vice-Chairman of the Committee, Chairman and Vice-Chairman. who shall be elected by the members of the Committee at their first meeting, or as soon thereafter as is practicable.

' (2.) The Chairman, or in case of his absence or other disability the Vice-Chairman, shall preside at all meetings of the Committee :

Provided that at any meeting of the Committee at which a quorum is present, the members in attendance may, in the absence of the Chairman and Vice-Chairman, appoint one of their number then present to be temporary chairman, and the temporary chairman shall have, during the absence of the Chairman and Vice-Chairman, all the powers given by this Act to the Chairman or Vice-Chairman.

' 56H.—(1.) All questions which arise in the Committee shall be decided by a Divisions. majority of votes of the members present, and when the votes are equal the chairman shall have a second or casting vote.

' (2.) In all cases of divisions the names of the persons voting shall be stated on the minutes and in the report.

' 56J.—(1.) The Committee may, subject to this section, sit and transact Power to sit during recess. business during any adjournment or recess as well as during the session, and may sit at such times and in such places, and conduct their proceedings in such manner, as they deem proper.

' (2.) The Committee shall not hold any meeting while either House of the Parliament is actually sitting, except by leave of that House.

' 56K. Where any matter is referred to any Committee, and the Committee Evidence taken before previous Committees. lapses or ceases to have legal existence before it reports thereon, the evidence taken before the Committee shall be considered by any subsequent Committee to which the same matter is referred for report, as if it had been given before the subsequent Committee.

' 56L. The Committee shall, subject to the provisions of this Act, consider and Functions of Committee. report to the Parliament upon every matter affecting repatriation which either House of the Parliament, by resolution, refers to the Committee and upon every other such matter affecting repatriation referred to the Committee by the Minister.' "

Debate ensued.

Mr. Spender moved, as an amendment to the proposed new clause, That the following sub-section be added to proposed new section 56L :—

" (2.) The Committee first appointed under this Part shall, subject to the provisions of this Act, within three months after its appointment, consider the matter of the adequacy of the rates of pension payable under this Act and shall, within fourteen sitting days of the Parliament after the expiration of that period of three months, report to the Parliament on that matter."

Debate continued.

Mr. Coles amended his proposed new clause, by leave, as follows :—

(a) by inserting the following new section :—

" 56KA. The powers, privileges and immunities of the Committee and Powers, privileges and immunities of Committee. of its members shall, subject to this Part, be those of each of the Houses of the Parliament and of its members and its committees."

(b) by adding at the end of proposed section 56L the following sub-section :—

" (2.) The Minister may refer to the Committee any such matter concerning repatriation which the Commission or any organization representing members of the Forces requests him to refer to the Committee." ; and

(c) by inserting after " repatriation " (wherever occurring) in proposed section 56L the word " policy ".

Debate continued.

Amendment to proposed new clause negatived.

Mr. Anthony moved, as an amendment to the proposed new clause, That the following new section be added after proposed new section 56L :—

" 56M. The aggregate amount of travelling expenses payable to a member of the Limit on amount of travelling expenses. Committee shall not exceed Fifty pounds in any one year."

Amendment to proposed new clause negatived.

Question—That proposed new clause 39A be inserted in the Bill—put.

18th and 19th March, 1943.

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

Ayes, 35.		Noes, 19.
Mr. Baker	Mr. Lawson	Mr. Anthony
Mr. Barnard	Mr. Lazzarini	Mr. Beck
Mr. Beasley	Mr. Makin	Sir George Bell
Mr. Blackburn	Mr. McLeod	Mr. Cameron
Mr. Breen	Mr. Morgan	Mr. Duncan-Hughes
Mr. Brennan	Mr. Mulcahy	Mr. Harrison
Mr. Calwell	Mr. Pollard	Mr. Hutchinson
Mr. Clark	Mr. Price	Mr. Jolly
Mr. Coles	Mr. Riordan	Sir Charles Marr
Mr. Curtin	Mr. Rosevear	Mr. McDonald
Mr. Dedman	Mr. Ryan	Mr. Menzies
Mr. Drakeford	Mr. Spooner	Mr. Nairn
Mr. Evatt	Mr. Ward	Sir Earle Page
Mr. Fadden		Mr. Prowse
Mr. Francis		Mr. Rankin
Mr. Frost		Mr. Spender
Mr. Holloway	<i>Tellers:</i>	Sir Frederick Stewart
Mr. Holt		
Mr. Hughes	Mr. Conelan	<i>Tellers:</i>
Mr. Johnson	Mr. Sheehan	Mr. Marwick
		Mr. Stacey

And so it was resolved in the affirmative.

Mr. Duncan-Hughes, for Mr. Abbott, moved, That the following new clause be inserted in the Bill :—

“ 39B. After section fifty-seven A of the Principal Act the following section is inserted :—

‘ 57B. Rates of pension (other than service pension payable to a member of the Forces) and rates of prescribed periodical allowances shall be adjusted from time to time at intervals not exceeding six months (commencing with the half-year ending on the thirtieth day of June, One thousand nine hundred and forty-three), in accordance with variations in the cost of living, in such manner and subject to such conditions as are prescribed.’ ”

Debate ensued.

Proposed new clause negatived.

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

“ 44A. After the Fifth Schedule to the Principal Act the following Schedule is inserted :—

‘ THE SIXTH SCHEDULE.

Section 56c.

DECLARATION BY MEMBERS OF PARLIAMENTARY STANDING COMMITTEE ON
REPATRIATION.

I, A.B., do solemnly and sincerely promise and declare that, according to the best of my skill and ability, I will faithfully, impartially, and truly execute the office and perform the duties of a member of the Parliamentary Standing Committee on Repatriation.

(A.B.).’ ”.

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

“ 44B. Where, by reason of the operation of the amendments effected by the foregoing provisions of this Act, pension becomes payable in respect of the incapacity or death of any member of the Forces and any payment has already been made by the Commonwealth under any other Act (other than the *Superannuation Act 1922-1937*, or that Act as subsequently amended) or as an act of grace, in respect of that incapacity or death, the Commission shall have regard to all such payments under any other Act or as an act of grace and, for the purpose of making such adjustments as it thinks just and equitable, may determine the date of commencement of the pension or the amount thereof which may be paid from time to time.’ ”

Postponed clause 4 further considered—

The amendment previously moved by Mr. Coles (*see page 518*) was agreed to.

Clause, as amended, agreed to.

Postponed clause 41 further considered—

The amendment previously moved by Sir Frederick Stewart (*see page 522*) was withdrawn, by leave.

Clause, as amended, agreed to.

Clause 42 reconsidered, by leave—

On the motion of Sir Earle Page, the following amendment was made :—

Page 19, after paragraph (a) insert the following paragraph :—

“(aa) by omitting the third paragraph ; ”.

Clause, as amended, agreed to.

Schedules—

First Schedule agreed to.

Second Schedule—

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

Page 22, Second Column, opposite section 29A, omit “ thirty-three ”, insert “ thirty-two ”.

Page 23, Second Column, opposite section 45AX, omit “ one hundred and two ”, insert “ one hundred and three ”.

18th and 19th March, 1943.

Schedule, as amended, agreed to.
 Title agreed to.
 Bill to be reported with amendments.

The House resumed ; Mr. Prowse reported accordingly.

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

5. MESSAGE FROM THE SENATE.—COMMONWEALTH BANK BILL 1943.—Mr. Speaker announced the receipt of the following Message from the Senate :—

MR. SPEAKER,

Message No. 174.

The Senate returns to the House of Representatives the Bill for " *An Act to amend the Commonwealth Bank Act 1911-1932, and for other purposes* ", and acquaints the House that the Senate has agreed to the Bill without amendment.

JAS. CUNNINGHAM,
 President.

The Senate,
 Canberra, 18th March, 1943.

6. PAPER.—Mr. Speaker presented, pursuant to Statute—
 Audit Act—Finance—Treasurer's Statement of Receipts and Expenditure for year 1941-42,
 accompanied by the Report of the Auditor-General.
 Ordered to be printed.

7. ADJOURNMENT.—Mr. Curtin (Prime Minister) moved, That the House do now adjourn.
 Debate ensued.
 Question—put and passed.

And then the House, at twenty-four minutes past four o'clock p.m., adjourned until Tuesday next at three o'clock p.m.

MEMBERS PRESENT.—All Members were present (at some time during the sitting) except Mr. Badman, Mr. Blain*, Mr. Corser, Mr. Falstein, Mr. Guy, Mr. Scullin*, Mr. Scully, Mr. Watkins, and Mr. White*.

* On leave.

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