

1943-44.

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA.

VOTES AND PROCEEDINGS
OF THE
HOUSE OF REPRESENTATIVES.

No. 33.

THURSDAY, 23RD MARCH, 1944.

1. The House met, at half-past ten o'clock a.m., pursuant to adjournment.—Mr. Speaker (the Honorable J. S. Rosevear) took the Chair, and read Prayers.
2. SOUTH AUSTRALIAN APPLES—MINISTERIAL STATEMENT.—Mr. Ward (Minister for Transport), by leave, made a Ministerial Statement concerning the transport of apples by rail from South Australia to the eastern States.
3. PAPERS.—The following Papers were presented, pursuant to Statute—
 - National Security Act—
 - National Security (Exchange Control) Regulations—Order—Sterling area.
 - National Security (General) Regulations—Orders—
 - Control of fibres and jute goods (No. 3).
 - Cordage and fibre.
 - Jute goods.
4. POSTPONEMENT OF ORDERS OF THE DAY.—Ordered—That Orders of the Day Nos. 1 and 2 be postponed until after Order of the Day No. 3.
5. WIDOWS' PENSIONS BILL 1944.—The Order of the Day having been read for the second reading—
 - Mr. Evatt (Attorney-General) moved, That the Bill be now read a second time.
 - Sir Frederick Stewart 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.
6. WHEAT SUBSIDY BILL 1944.—Mr. Scully (Minister for Commerce and Agriculture), pursuant to leave given on the 21st March, brought up a Bill intituled "*A Bill for an Act to provide for the Granting of Assistance to Wheat-growers*", and moved, That it be now read a first time.
 - Question—Bill and passed.—Bill read a first time.
 - Mr. Scully moved, by leave, That the Bill be now read a second time.
 - Mr. Cameron 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.
7. WHEAT INDUSTRY (WAR-TIME CONTROL) BILL 1944.—Mr. Scully (Minister for Commerce and Agriculture), pursuant to leave given on the 21st March, brought up a Bill intituled "*A Bill for an Act to amend the 'Wheat Industry (War-time Control) Act 1939-1940'*", and moved, That it be now read a first time.
 - Question—put and passed.—Bill read a first time.
 - Mr. Scully moved, by leave, That the Bill be now read a second time.
 - Mr. Cameron 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.
8. WHEAT TAX (WAR-TIME) REPEAL BILL 1944.—Mr. Scully (Minister for Commerce and Agriculture), pursuant to leave given on the 21st March, brought up a Bill intituled "*A Bill for an Act to repeal the 'Wheat Tax (War-time) Act 1940' and the 'Wheat Tax (War-time) Assessment Act 1940'*", and moved, That it be now read a first time.
 - Question—put and passed.—Bill read a first time.
 - Mr. Scully moved, by leave, That the Bill be now read a second time.
 - Mr. Cameron 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.
9. PRINTING COMMITTEE—FIRST REPORT.—Mr. Conelan, Chairman, brought up the First Report from the Printing Committee (sitting in conference with the Printing Committee of the Senate).
The Report was read by the Clerk, as follows:—

REPORT.

The Printing Committee have the honour to report that they have met in Conference with the Printing Committee of the Senate.

The Joint Committee, having considered the Petition and Papers presented to Parliament since the last meeting of the Committee, and other Papers, motions for the printing of which lapse with the close of the Session in July last, recommend that the following be printed:—

Australian Soldiers' Repatriation Act—Repatriation Commission—Report for year 1942-43.

23rd March, 1944.

Elections and Referendums—Statistical Returns in relation to the Senate Elections, and the General Elections for the House of Representatives, 1943; Detailed Return in relation to the Election for the House of Representatives, 1943, for the Northern Territory; together with Summaries of Elections and Referendums, 1903–1943.

Elections, 1943—

Statistical Returns showing the voting within each subdivision in relation to the Senate Election and the General Elections for the House of Representatives, 1943, viz. :—

New South Wales.
Queensland.
South Australia.
Tasmania.
Victoria.
Western Australia.

Postmaster-General's Department—Thirty-second Report, for year 1941–42.

Science and Industry Research Act—Seventeenth Annual Report of Council for year 1942–43.

Taxation—Twenty-fourth Report of Commissioner, dated 1st November, 1943, together with Statistical Appendices.

War Service Homes Act—Report of War Service Homes Commission for year 1942–43, together with statements and balance-sheet.

W. P. CONELAN,
Chairman.

22nd March, 1944.

Mr. Conelan moved, by leave, That the Report be agreed to.

Question—put and passed.

10. INCOME TAX ASSESSMENT BILL 1944.—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 7—

Debate resumed on the amendment moved by Mr. Fadden, viz. :—That after the word "forty-three" (page 5, line 17) the words "or the last day of the accounting period, if any, adopted under this Act in lieu of the income year ending on the thirtieth day of June, One thousand nine hundred and forty-three" be inserted.

Amendment negatived.

On the motion of Mr. Chifley (Treasurer), the following amendments were made :—

Page 5, lines 18 and 19, omit "at the date on which the sum was so set apart or paid", insert "during the year of income".

Page 6, after proposed sub-section (4.) insert the following sub-section :—

"(4A.) In the application of this section—

- (a) the aggregate of all sums set apart or paid (after the thirtieth day of June, One thousand nine hundred and forty-three) in the year of income by the taxpayer as or to any one fund shall be deemed to be one sum so set apart or paid; and
- (b) in the case of a taxpayer who has, in the year of income, set apart or paid sums as or to more than one fund, the deductions allowable under this section shall be ascertained in respect of the funds in such order as the Commissioner thinks fit, and, in the application of this section in relation to any such fund, the amounts specified in sub-paragraphs (i) and (ii) of paragraph (c) of sub-section (3.) of this section shall, in relation to any employee, be reduced by the aggregate of any amounts determined in respect of that employee under paragraph (d) of sub-section (2.) of this section in relation to any other funds, to the extent to which the amounts so determined have not been excluded in ascertaining the deductions allowable in relation to those other funds."

Clause, as amended, agreed to.

Clause 8 agreed to.

Clause 9—

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

Page 7, lines 39 and 40, omit "the fund, at the date on which the sum was so set apart or paid", insert "during the year of income, the fund".

Page 8, after proposed sub-section (4.) insert the following sub-section :—

"(4A.) In the application of this section—

- (a) the aggregate of all sums set apart or paid (after the thirtieth day of June, One thousand nine hundred and forty-three) in the year of income by the taxpayer as or to any one fund shall be deemed to be one sum so set apart or paid; and
- (b) in the case of a taxpayer who has, in the year of income, set apart or paid sums as or to more than one fund, the deductions allowable under this section shall be ascertained in respect of the funds in such order as the Commissioner thinks fit, and, in the application of this section in relation to any such fund, the amounts specified in sub-paragraphs (i) and (ii) of paragraph (c) of sub-section (3.) of this section shall, in relation to any employee, be reduced by the aggregate of any amounts determined in respect of that employee under paragraph (d) of sub-section (2.) of this section in relation to any other funds, to the extent to which the amounts so determined have not been excluded in ascertaining the deductions allowable in relation to those other funds."

Clause, as amended, debated.

23rd March, 1944.

Sir Frederick Stewart moved, as a further amendment, That the words " on or before the second day of March, One thousand nine hundred and forty-four " (page 8, lines 43 and 44) be omitted with a view to inserting the words " up to the date on which this Act became operative " in place thereof.

Debate continued.

Amendment negatived.

Clause, as amended, agreed to.

Clause 10—

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

Page 9, line 31, omit " seventy-five ", insert " twenty-five ".

Page 9, line 33, omit " seventy-five ", insert " twenty-five ".

Clause, as amended, agreed to.

Clauses 11 to 13 agreed to.

Clause 14—

Mr. Fadden moved, That the clause be postponed.

Debate ensued.

Question—That the clause be postponed—put.

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

Ayes, 20.		Noes, 45.	
Mr. Abbott	Mr. McDonald	Mr. Anthony	Mr. James
Mr. Adermann	Mr. McEwen	Mr. Barnard	Mr. Johnson
Mr. Bowden	Sir Earle Page	Mr. Breen	Mr. Langtry
Mr. Cameron	Mr. Rankin	Mr. Brennan	Mr. Lawson
Mr. Fadden	Mr. Ryan	Mr. Bryson	Mr. Lazzarini
Mr. Francis	Sir Frederick Stewart	Mr. Burke	Mr. Lemmon
Mr. Harrison	Mr. White	Mr. Calwell	Mr. Makin
Mr. Holt		Mr. Chambers	Mr. McLeod
Mr. Hughes	<i>Tellers:</i>	Mr. Chifley	Mr. Morgan
Mr. Hutchinson	Mr. Corser	Mr. Coles	Mr. Mulcahy
Dame Enid Lyons	Mr. Guy	Mr. Conelan	Mr. Pollard
		Mr. Daly	Mr. Russell
		Mr. Dedman	Mr. Scullin
		Mr. Drakeford	Mr. Scully
		Mr. Evatt	Mr. Sheehy
		Mr. Falstein	Mr. Smith
		Mr. Forde	Mr. Ward
		Mr. Fraser	Mr. Williams
		Mr. Frost	Mr. Wilson
		Mr. Fuller	
		Mr. Gaha	<i>Tellers:</i>
		Mr. Hadley	Mr. Martens
		Mr. Haylen	Mr. Sheehan
		Mr. Holloway	

And so it was negatived.

Debate continued.

Clause agreed to.

Clauses 15 to 20 agreed to.

Clause 21—

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

Page 21, after proposed section 221KC add the following section :—

" 221KD.—(1.) The regulations may provide that all or any employers (not being Regulations in relation to tax stamps. employers registered as group employers), instead of delivering tax stamps, as provided in this Division, to employees from whose salaries or wages deductions are made in pursuance of this Division, shall deal with amounts so deducted in the manner prescribed.

" (2.) Any regulations made for the purpose of this section—

- (a) shall be expressed so that the right which any employee would have, but for the regulations, to obtain any credit or payment in respect of any deduction made from his salary or wages shall be preserved ;
- (b) may contain such incidental and supplementary provisions (including provisions applying to employees) as the Governor-General considers necessary ; and
- (c) shall, subject to this section, have effect notwithstanding anything contained in this Division.' "

Clause, as amended, agreed to.

Clauses 22 to 27 agreed to.

Clause 28 debated and agreed to.

Title agreed to.

Bill to be reported with amendments.

The House resumed ; Mr. Riordan reported accordingly.

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

11. POSTPONEMENT OF ORDERS OF THE DAY.—Ordered—That Orders of the Day Nos. 2 to 14 be postponed until after Orders of the Day Nos. 15 and 16, Government Business.

23rd March, 1944.

12. MESSAGE FROM THE GOVERNOR-GENERAL.—SUPPLY BILL (No. 1) 1944-45.—The following Message from His Excellency the Governor-General was presented, and was read by Mr. Speaker :—

GOWRIE,

*Governor-General.**Message No. 13.*

In accordance with the requirements of section fifty-six of the Constitution of the Commonwealth of Australia, the Governor-General recommends to the House of Representatives that an appropriation of revenue be made for the purposes of a Bill for an Act to grant and apply a sum out of the Consolidated Revenue Fund for the service of the year ending the thirtieth day of June, One thousand nine hundred and forty-five.

Canberra, 21st March, 1944.

Ordered—That the foregoing Message be referred to the Committee of Supply forthwith.

13. SUPPLY—SUPPLY BILL (No. 1) 1944-45.—The House, according to Order, resolved itself into the Committee of Supply.

(In the Committee.)

Mr. Chifley (Treasurer) moved, That there be granted to His Majesty for or towards defraying the service of the year 1944-45 a sum not exceeding £37,141,000.

Question—put and passed.

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

The House resumed ; Mr. Riordan reported accordingly.

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

Mr. Chifley moved, pursuant to contingent notice, That so much of the Standing Orders be suspended as would prevent the remaining stages being passed without delay.

Question—put and passed.

The Resolution reported from the Committee was read, and, on the motion of Mr. Chifley, was adopted by the House.

14. WAYS AND MEANS—SUPPLY BILL (No. 1) 1944-45.—The House, according to Order, resolved itself into the Committee of Ways and Means.

(In the Committee.)

Mr. Chifley (Treasurer) moved, That, towards making good the Supply granted to His Majesty for the service of the year 1944-45, there be granted out of the Consolidated Revenue Fund a sum not exceeding £37,141,000.

Question—put and passed.

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

The House resumed ; Mr. Riordan reported accordingly.

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

The Resolution reported from the Committee was read, and, on the motion of Mr. Chifley, was adopted by the House.

Ordered—That Mr. Chifley and Mr. Lazzarini do prepare and bring in a Bill to carry out the foregoing Resolution.

15. SUPPLY BILL (No. 1) 1944-45.—Mr. Chifley (Treasurer) then brought up a Bill intituled “ *A Bill for an Act to grant and apply a sum out of the Consolidated Revenue Fund for the service of the year ending the thirtieth day of June One thousand nine hundred and forty-five* ”, and moved, That it be now read a first time.

Question—put and passed.—Bill read a first time.

Mr. Chifley moved, That the Bill be now read a second time.

Debate ensued.

Mr. McEwen 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.

16. MESSAGE FROM THE SENATE.—CONSTITUTION ALTERATION (POST-WAR RECONSTRUCTION AND DEMOCRATIC RIGHTS) BILL 1944.—Mr. Speaker announced the receipt of the following Message from the Senate :—

MR. SPEAKER,

Message No. 21.

The Senate returns to the House of Representatives the Bill for “ *An Act to alter the Constitution for a limited period by empowering the Parliament to make Laws in relation to Post-war Reconstruction, and by including Provisions to safeguard Freedom of Speech and Expression and Freedom of Religion* ”, and acquaints the House that the Senate has agreed to the Bill without amendment.

GORDON BROWN,
President.

The Senate,

Canberra, 23rd March, 1944.

17. ADJOURNMENT.—Mr. Chifley (Treasurer) moved, That the House do now adjourn.

Question—put and passed.

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

MEMBERS PRESENT.—All Members were present (at some time during the sitting) except Mr. Beasley, Mr. Blain*, Mr. Clark, Mr. Mountjoy, and Mr. Spender.

* On leave.

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